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Selections.

THE WISCONSIN SLAVE CASE.

DECISION OF THE STATE SUPREME COURT.

NARRATIVE OF THE GLOVER RESCUE.

From The Milwaukee Sentinel, Feb. 6.

THE decision of the Supreme Court of Wisconsin, pronounced on Saturday last, discharging S. M. Booth and John Ryecraft, two citizens of this State, from the fine and imprisonment to which they had been sentenced by Judge Miller, after conviction, in the U. S. District Court, of alleged violation of the Fugitive Slave Act, is a matter of too deep and serious import to be lightly passed over, or dismissed without further remark. Regarding that decision as fraught with important consequences to the great cause of Constitutional Rights and Human Liberty—as setting up a barrier against any further invasion of those rights by the grasping and domineering spirit of Slavery—and as conferring immortal honour upon the Court which pronounced and the State which sustains this righteous judgment, we have thought the present a proper occasion to lay before our readers a succint narrative of the cause, the progress and the issue of the GLOVER RESCUE TRIALS in this city.

Early in March last, a negro, bruised, bleeding and manacled, was brought to this city, in custody of Deputy U. S. Marshal Cotton, and lodged in our County jail. In spite of the efforts of the United States officers to keep their secret, the fact speedily transpired. The circumstances, too, attending the capture came out. As the story flew from mouth to mouth, the waves of popular excitement began to rise; and gathering groups on every corner attested the public interest in this novel case. It was soon known that brutal and unnecessary violence had been used to arrest the man, upon the charge of being a slave, and it began to be suspected that foul play would be employed to complete what force had begun. Counsel were procured for the imprisoned fugitive, and a writ of habeas corpus applied for and obtained from the Judge of the County Court. The Sheriff made return to the writ that the prisoner was not in his custody. A second writ was then sued out against the U. S. Marshal. Meantime, the people assembled by thousands on the Court-House square; a meeting was organized, speeches made, resolutions adopted pledging all present to stand by the writ of habeas corpus and the right of trial by jury, and committees appointed to wait on the U. S. officers and learn whether they intended to obey the second writ and produce their prisoner. While the excitement was at its height, a delegation, 100 strong, from Racine—whence the alleged slave had been forcibly abducted the previous night—arrived upon the ground, adding fuel to the fast-rising flame. At this critical juncture, too, came the report that the writ of habeas corpus would *not* be obeyed, and the suspicion was strengthened that the negro was to be carried back into slavery, as he had been brought to the Milwaukee jail, by sheer force and without warrant of law. Then it was that, by an irresistible impulse, and without concert, or premeditation, a rush was made for the jail, the doors battered down, the prisoner released, placed in a wagon and hurried beyond the reach of pursuit, amid the applauding shouts of [illegible] thousands.

Such is the brief history of the *rescue* of the alleged fugitive slave Joshua Glover. The breaking of the jail and the forcible release of Glover were offences in the eye of the law and in the estimation of the public. For these, as Mr. Tweedy well said, in his speech at Young's Hall, reparation was due to the State of Wisconsin, whose laws had been violated, and to the City of Milwaukee, whose peace had been broken; but it was not the province of the Federal Government to enforce that reparation. Our own Courts and authorities were competent to the task. The Officers of the Federal Government, however, assumed the initiative. Their first step was to procure the arrest of S. M. Booth, accused of being a ring-leader in the rescue, by a warrant from United States Commissioner Smith. An examination followed, and Mr. Booth was held to bail, to appear and answer the complaint at the next term of the United States Court. He gave bail, but shortly afterward was surrendered by his sureties, in order that a writ of habeas corpus might be sued out, in his behalf, before Judge Smith, of our State Supreme Court. The writ was granted, argument had upon it, and Mr. Booth discharged; the Judge holding that the commitment was insufficient, and the Fugitive Slave Act itself, under which the proceeding was had, unconstitutional. These points were enforced in an able and elaborate opinion, which was extensively circulated through the public press. From this decision the U. S. Officers took an appeal to the full bench of the Supreme Court. That Court *affirmed* the decision; all three Judges concurring in the order of discharge, though one of them, Judge Crawford, dissented as to that part of Judge Smith's opinion which held the Fugitive Slave Act to be unconstitutional.

Meantime, the U. S. District Court, Judge Miller presiding, commenced its summer term at Madison, and the Grand Jury found indictments against Messrs. Booth, Ryecraft and others, for their participation in the rescue of Glover. Upon those indictments, and by order of the Judge, Mr. Booth was again arrested. He went to jail, and his counsel once more invoked the interposition of our State Supreme Court. It was denied, mainly upon the ground that the jurisdiction of the U. S. Court had attached, and that comity required that the State Court should not interfere until the Federal Court had heard the case and pronounced its judgment. Thereupon Mr. Booth gave bail to appear and stand his trial. The fall term of the U. S. District Court came on. Mr. Booth was confined to his bed by severe illness, and his case went over. John Ryecraft, however, was tried under the indictment found against him in July, convicted, and sentence deferred. In January, the month just past, the U. S. Court again convened. The Grand Jury, carefully selected, found new bills of indictment against Mr. Booth (the old one having been abandoned) and several others. An attempt was made to *quash* the indictment, on the ground that the Grand Jury was improperly and unfairly drawn. The motion for that purpose was overruled and the prisoner put upon his trial. The feeble hands of the U. S. District-Attorney were strengthened for the occasion by the employment of able counsel, whose zeal was stimulated by a liberal fee, as well as by personal and political antipathy toward the accused. Unusual pains were taken to get a Jury whose opinions of the Fugitive Slave Act would not stand in the way of a conviction. The presiding Judge threw his official weight into the scales against the prisoner.

The evidence showed that Mr. Booth had been among the most active in getting up the meeting at the Court-House Square, had been prominent in all the proceedings then and thereabout, and had been in close proximity to the wagon in which Glover was hurried out of the city. There was, however, not a particle of proof to connect him with the *actual* jail-breaking and jail delivery, or to show that he was one whit more guilty than any other of the two or three thousand citizens who "countenanced" and applauded the escape. But the Judge held that enough and more than enough had been proved to convict the defendant *under the law*, and of that law it was for him, and not the Jury, to judge. The Jury, fettered by the positive directions of the Court, and the majority of them, as we believe, in the conscientious discharge of their supposed duty, found a verdict against the prisoner. Motions were made in arrest of judgment, and for a new trial. The form of the indictment was challenged, the sufficiency of the proof disputed, and strong evidence offered that one, at least, of the jurors had prejudged the case. But all in vain. The Judge overruled the motions, and hastened to pronounce sentence. Mr. Booth was condemned to one month's imprisonment, $1,000 fine, and costs of prosecution—$451 01; Mr. Ryecraft to $200 fine and ten days' imprisonment. Immediately after sentence, both prisoners were conducted to our County jail, and there confined.

The news created a great sensation in this city, and, as it flew along the telegraph wires and sped through the mails, produced intense excitement throughout the State. A public meeting, hastily called, but most numerously and respectably attended, gave utterance to the outraged feeling of our city. The country responded promptly and universally. Meantime, the counsel of the prisoners once more appealed for help to the Supreme Court of the State, and this time not in vain. A writ of habeas corpus was granted, and, in obedience to the summons, escorted by 2,000 of their fellow-citizens, the prisoners, in charge of the Sheriff, proceeded, on Monday week, to the Railroad Depôt, to take the cars for Madison. On Saturday last, they returned FREE MEN! the Supreme Court having discharged them from confinement. Two of the Judges, Whiton and Smith, reiterated the opinions expressed by them in July last, as to the unconstitutionality of the Fugitive Slave Act. The third, Crawford, adhering to his previous view of that question, concurred in the order of discharge, on the ground that no offence, under that act, was charged in the indictment. The decision of the Court, therefore, was UNANIMOUS.

So stands the case to-day—Messrs. Booth and Ryecraft, by the *fiat* of our State Court, have been released from the fine and imprisonment to which the sentence of the Federal Court had subjected them. The Fugitive Slave Act has again been pronounced unconstitutional and void by the Supreme tribunal of the State. The great writ of Liberty has been sustained. The threatening surge of Slavery aggression has been stayed in its course. The birthright of Wisconsin—youngest and fairest offspring of the immortal Ordinance of 1787—has been nobly vindicated. Slavery, or involuntary servitude, except for crime, cannot and will not be tolerated within her borders. Kidnapping finds no favour with her Courts, no protection in her jails, no countenance among her people. Wisconsin is and will remain a free State; and while she claims no right and cherishes no desire to intermeddle in the domestic affairs of her sister sovereignties, she will at least assert and exercise, at all times and at every hazard, the power to protect her own citizens, and to maintain and defend, in all their integrity, the writ of Habeas Corpus and the right of trial by jury.

OPINION OF JUSTICE SMITH.

In the matter of the petition of John Ryecraft for a writ of Habeas Corpus and to be discharged from imprisonment; and in the matter of Sherman M. Booth.

The facts in these two cases are essentially the same, and, so far as the observations which I feel called upon to make may be uttered, they will be regarded as applying to both, and, therefore, for the sake of convenience, reference will be made to the petition of Ryecraft only.

On the application of Sherman M. Booth, at the last term of this Court, for a writ of habeas corpus, no copy of the indictment was presented, but only a copy of the warrant upon which he had been arrested, which recited merely that he had been indicted, under the Act of Congress of 1850, for aiding the escape of one Joshua Glover, &c. This was an ordinary bench warrant, to bring in a defendant to answer to an indictment found in the United States District Court, and it appeared to us that we ought not (and, indeed, without an inspection of the indictment, we could not) interfere with the regular action of that Court, but were bound to presume that if the indictment, when at the proper time it should be brought up for examination, failed to present a case of which that Court had jurisdiction, or charged no offence at all, the Court in which it questions were preliminarily within the proper scope of the power of that Court. But now the case is different; all those questions have been properly urged, and without avail; and the petitioner comes before us and shows, by the return of the officer, that he has been pressed on to a conviction and sentenced to imprisonment, and is now actually imprisoned, within this State, and that the sole authority therefor is a transcript of the record of such conviction.

The first, the fundamental question which the case presents is: Has this Court the power to inquire into the legality of the authority by which the prisoner is held?

It seems to me that the solution to this question is to be found in a few simple elementary propositions, which require little or no proof or argument to sustain them.

It is the duty of Government to protect and secure the rights of the citizen, among which is the right to liberty.

The duty of the Government is to be measured only by the extent of the individual right, and it is bound to provide means adequate to the end in view.

If the Government be complex, the means may be distributed and the obligations of duty divided, but not so as to fall short of the object to be accomplished.

Ours is a complex system, with distributed powers to each of its parts, but all its parts constituting an entire sovereignty, and so, of course, in duty bound, as a whole, to furnish complete protection.

Whatever powers and duties are not delegated or assigned to one department or branch of the entire sovereignty, must remain in the other.

If the one be made up of delegated and the other of reserved powers, the duties assigned to the former can only be coëxtensive with the powers delegated, and the duties of the latter must be commensurate with the powers reserved, and those powers adequate to every emergency not within the scope of the former.

The Federal Government is one of delegated powers, the State Government one of reserved powers; the former competent to act only within its prescribed boundary; the latter exercising all the functions of sovereignty which have not been delegated to the former.

The power to guard and protect the individual liberty of the citizen is one of the powers reserved to the States. It was never granted to the Federal Government (except in a very few prescribed cases which have no bearing upon the present inquiry), has never been claimed for it, but always conceded to the States.

If, therefore, it is the duty of the State to guard the individual liberty of its citizens, it must necessarily have the right and the power to inquire into any authority by which that liberty is attempted to be taken away. But the power to inquire includes the power to decide. The right to demand by what authority such imprisonment is attempted implies the obligation of the person imprisoning to respond. The right to demand such authority on the one hand implies on the other the duty to exhibit it.

Again, the States have delegated to the Federal Government the power to imprison its citizens, in certain cases, but in none other. So far, then, as that Government acts upon the power thus delegated, the States cannot interfere to protect its citizens; but in every other case, they not only have the power, but it is their solemn duty to interpose their authority. As the power by which the Federal Government can imprison is a delegated power, it is bound to show, in every case where it imprisons, that it is acting upon some power delegated. It must be "nominated in the bond."

The Constitution of the United States is the deed of grant, expressed by written charter, of all the powers delegated to the Federal Government. The States severally retain all else of sovereignty, limited only by the local Constitutions prescribed by the people of each.

Therefore, to me it is plain that when the Federal Government attempts to act in a given case, it is bound to exhibit a case within its prescribed powers; for, were it otherwise, it would involve the assumption of inherent powers, and transcend its charter.

As the States delegated, and the Federal Government took power, the latter is, at all times, answerable to the former, and may be required to exhibit the deed by which it claims to do, or refuses to perform, any given act, when so required by the primary original authority.

In the Constitution of the United States, sound policy required the incorporation of a function by which the Government, thus created, might be such in fact, and hence be enabled to act upon individuals in all of the creative constituent sovereignties. This could only be accomplished by the creation of a judicial department, supreme and independent within its prescribed sphere, whose process should extend to every citizen. But in giving up this vital element of sovereignty, the States carefully guarded it, hedged it about with provisions which it was supposed were impassable. They prescribe its *extent* in words most carefully selected, whose import could scarcely be mistaken, and beyond which it was supposed no venturesome mind would rush. "The judicial power shall *extend* to all cases in law and equity, arising under this Constitution, the laws and treaties made, or which shall be made under their authority," &c. The words "*extend to*" might, perhaps, upon the theory of liberal construction, be held to be exclusive in their import, were it not for another provision of that instrument which will be presently noticed. But the very selection of the words "extended to," when we consider the extreme caution observed by the members of the Convention which framed the Constitution, ought to admonish us against a rash assumption of exclusive jurisdiction. That which merely extends to a particular subject, or class of subjects, cannot, upon any legitimate mode of interpretation, be considered as comprising the whole of such class to the exclusion of every other power. Several powers may extend to a given class of subjects. But one can comprehend them all. The extension of a power to a subject by no means merges it exclusively within such power.

But we are relieved from the necessity of criticism upon these words, by another provision of the same instrument, in the following words:

"This Constitution and the *laws of the United States made in pursuance thereof*, and all treaties made, or which shall be made under the authorities of the United States, shall be the supreme law of the land; *and the Judges of every State shall be bound thereby*," &c.

Here is a distinct recognition of the power and duty of State Judges to decide upon and to conform to all the requirements of the Federal Constitution, and the "laws made in pursuance thereof." If the terms "extend to," in a former provision, were intended to be exclusive, and to vest sole and ultimate power in the Federal Courts and Judges, why should the obligation of construction, obedience and conformity be imposed upon State Judges? Why are the Constitution and the laws of the United States, "made in pursuance thereof," made the law of every State, and the State Judges bound thereby, unless those subjects were addressed to the judicial mind and conscience of those officers? And why that careful phrase, when addressed to State Judges, "*the laws of the United States, made in pursuance thereof*," unless those officers were required to determine whether or not the laws of the United States were made in pursuance thereof?

It seems to me that here is an express recognition of the judicial power of the States, as extending to all laws of the United States, and a requisition of obedience on the part of State Judges to all the laws of the United States, provided they are made in pursuance of the Constitution of the United States.

This view is strongly fortified by the historical fact that various attempts were made to create and establish one ultimate, sole tribunal, which should finally decide upon all questions which might arise in the course of Federal and State Administration, in regard to the exercise or claim of delegated powers in the Federal Government on the one hand, or reserved powers in the States on the other.

But the project was found to be impracticable in the then posture of affairs, and the attempt was abandoned; the Convention preferring rather to incur the hazard of collision, trusting to the good sense, patriotism and forbearance of the two Governments, and the people, to meet and provide [illegible] as they might arise than to either abstract from and destroy the efficiency of the one or absorb all the powers of the other; leave the one a mere league, or the other mere dependent colonies of a consolidated Government, accordingly as direction or bias might chance to be given it by temporary exigencies incident to the commencement of a new and untried system.

It is clear, therefore, that the Federal Government can only operate within the prescribed sphere marked out by the Constitution of the United States; that, that Government is at all times answerable to the States, so far as to bring their action within the charter; that the judicial power of the Union is as much circumscribed by the Constitution as every other department of the Federal Government; that an Act of Congress without the Constitutional sphere would be no law; that a judicial determination without the Constitutional sphere would be no judgment, sentence, or decree; that of the acts of Congress the State Judiciary are bound to judge, whenever they are brought before it, so as to ascertain whether such acts are made in pursuance "of that Constitution," because that judiciary is "bound thereby."

The States never yielded to the Federal Government the guardianship of the liberties of their people. In a few carefully specified instances, they delegated to the Federal Government the power to punish, and so far, and so far only, withdrew their protection. In all else they reserved the power and continued the obligation and duty upon themselves to secure the rights of their citizens, declared to be inalienable, viz.: "life, liberty and the pursuit of happiness."

It will readily be conceded that the provision which the people have made in their government, for the protection of these rights in them individually, is found in the Judicial department. That is the arm of sovereignty which they invoke when these rights are individually invaded. Every citizen has the right to appeal to the fundamental character of both sovereignties to which he is subject, to the validity of the authority by which his right to liberty is denied. It follows, therefore, that the power which he has the right to invoke in his behalf must possess the right to inquire into the conformity of the authority set up over his natural rights with the fundamental law. As the State Judiciary is the only power to which the guardianship of individual liberty is intrusted, it follows that it must have the right to inquire into such conformity.

It would seem obvious that this power to inquire has never been surrendered by the States. It is reserved to them and the people thereof. Hence it is original in the States. If original, then the appropriate means and instrumentalities incident to its exercise are alike reserved and original. Among such instrumentalities, the writ of habeas corpus is especially recognised in the Federal Constitution, and a positive inhibition upon the power of Congress to interfere with its scope and functions, except in specified cases, is carefully inserted. As if it were not enough to restrict the Federal Government to the specifically delegated powers, but to render the power of the States more conspicuous, certain and efficacious, for the protection of individual liberty, all power on the part of Congress to suspend, even, the benefits of the writ of habeas corpus is expressly denied.

Therefore, so far as the proceeding under this writ is concerned, it is original, and, from the necessity of the case, the jurisdiction of it is original in the States; and as Congress cannot suspend its benefits, it cannot abridge the power and jurisdiction of the State judiciary; it follows that it can grant to no one exemption from the obligation of obedience to its mandates. And it as clearly follows that every individual within the States, no matter by what authority he may claim to act, is bound to obey the writ, because no power on earth can absolve him from his obligation of obedience.

It is sometimes said that this writ is in the nature of a writ of error, to review the proceedings of an inferior court or magistrate. This is sometimes true. But, without stopping here to inquire whether, for the purposes of this writ, the inferior United States Courts be or be not inferior to State authority, as regards the office of the writ in a proceeding like this, it can hardly partake of the nature of a writ of error. Every sovereign power has a right to inquire into the condition of its subjects, and the authority or causes of their imprisonment. This writ is the appropriate means of such inquiry. When the State uses it to inquire whether the citizen is imprisoned by virtue of a power which it has delegated to another Government, it does not bring the proceedings of that Government into review; it only seeks to inquire whether the case falls within its own reserved powers. If within the scope of the former, it yields to the paramount authority which it has helped to vest. If not, it disposes of the subject matter according to its own forms of procedure.

The obligations of the State and Federal Governments are herein perceived to be mutual and reciprocal. The one to abstain from interference, whenever it perceives the subject matter to be within the attached jurisdiction of the other, and that other to show that the authority which it claims to exercise is within the powers delegated, and which it may rightfully exercise. There is little danger of troublesome collision so long as each shall be willing to measure its functions by the standard created by the ultimate source of all power. But if, to avoid collision, an absolute unquestioning submission on the one hand is requisite, and on the other a perfect immunity to claim and usurp all power, and to be the sole and ultimate judge of the validity of its own claims, then collision is the preferable alternative, because collision invokes the arbitrament of the ultimate source of all power, the people themselves, whose judgments and decrees are made and pronounced by the peaceful and constitutional means which they had the wisdom and foresight to provide in the organization of the Government. Collisions of this kind are by no means new in this Government. They have occurred from time to time, as the supposed exigencies of the country have called into exercise new powers, or seemed to require the adoption of new measures But such collisions have, all along our history, found their appropriate remedy, in the awakening of inquiry, in a recurrence to primary and fundamental principles, and in a return to the constitutional sphere. And so it will ever be, until one or the other shall rashly and madly rush on to extremities in defiance of constitutional remedies.

The State Judges and Courts are as much bound to support the Constitution and laws of the United States as are the Federal Courts and Judges. I cannot yield to the assumption that the former will be less mindful of their oaths and obligations than the latter, though I can readily perceive why the State Judges may be naturally more mindful of the exact line of demarkation between the delegated and reserved powers, because they are under the additional obligation to support the Constitution and rights of the State.

If these views be correct, how stands the present case? It is clearly our duty to grant this writ, to inquire into the cause of the prisoners' capture and detention. The return of the respondent sets out such cause. Our next duty is to inquire into this return, in order to ascertain whether the prisoner is held by virtue of any legal authority. It will be conceded that the only rightful authority by which he can be imprisoned must be exercised either by the Government of this State or by that of the United States. No other earthly power can rightfully interfere with his right to liberty. But it is conceded that he is not held by the authority of this State. The next step in the inquiry is to ascertain whether he is held by any constitutional authority of the Federal Government. Whatever such authority may be, to be of any validity whatever, it must clearly appear to be within powers delegated by the Constitution and the laws of the United States made in pursuance thereof. Any other power attempted to be exercised by any department of the Federal Government would be a manifest usurpation, and of no binding validity. The National Convention that framed the Constitution was exceedingly cautious about conferring criminal jurisdiction upon the National Government; so much so, that an enumeration of the crimes for which punishment could be provided was carefully made. Congress has, however, provided for the definition and punishment of numerous other crimes and offences, as necessarily incident to the due execution of powers expressly granted. But all agree that the Federal Courts can exercise no criminal jurisdiction of Congress.

Every act of Congress must be conformable to the Constitution; that is, either the exercise of some power expressly granted or necessary to the execution of some express power.

I have, on another occasion, attempted to show that the act of Congress, approved September 18, 1850, commonly called the Fugitive Slave Act, was not within the constitutional power of Congress. I have no time now to enlarge upon the views there represented. But I may be permitted to say that, after careful research, and much reflection, I have not been able to perceive any reason to recede from the positions then taken, but, on the contrary, it is clear to my mind that the contrary doctrine is dangerous to the sovereignty and independence of the States, destructive to the peace and harmony of the Union, and ultimately subversive of the very end and aim contemplated by that enactment. I cannot discharge my duty without again affirming the conclusions to which I then arrived. I cannot hang my conscience upon the suggestions or opinions dictated by the conscience of others. They must judge and act for themselves. So must I. I must be faithful to my trust, as others, doubtless, are to theirs. But, believing, as I do, that Congress had no power to pass the act of 1850, that the duties and obligations declared by the Constitution in that respect, by the 3d clause of Sec. 2, of Act 4 of the Constitution, were imposed upon the States, and all power in relation thereto reserved to the States and the people, I am compelled to hold that the act is unconstitutional and void, and can confer no authority upon the Federal Courts.

This doctrine goes to the jurisdiction of the Court which attempted to try and sentence this petitioner, which jurisdiction is always subject to inquiry and decision in any other Court in which its proceedings may come in question, collaterally or otherwise. This is true of Courts of general original jurisdiction, and much more is it true in regard to the jurisdiction of Courts of inferior special and limited jurisdiction.

The 2d clause of the 9th section of the 1st article of the Constitution of the United States provides: "The privilege of the writ of habeas corpus shall not be suspended, unless when, in case of rebellion or invasion, the public safety may require it." The insertion of this clause in the Constitution clearly indicates the extreme caution which was exercised by the members of the National Convention, and also the apprehension which they felt lest the power of the States might prove too much for that of the Federal Government. While, on the one hand, they obviously intended to leave to the State Governments the jurisdiction and control of this high prerogative writ, in all ordinary circumstances, and on all ordinary occasions, on the other they granted to Congress the power to suspend its privileges whenever they should manifest an open rebellion against the Federal authority, or an invasion of the national or State territory. The suspension of the privileges of the writ, here referred to, could not be held as applying only to the power of the United States Courts to issue it, because such power could be made to extend to but few cases, and, more palpably, because it could hardly be conceived that the national Judiciary would ever be found disposed to use the writ in aid of the subversion of the very authority upon the existence of which their own functions depended. Hence it is apparent that the inhibition and the exceptions therefrom have reference to the State functionaries, and the clause must be regarded as restrictive upon the power of Congress to interfere with the authority of the State Judges to issue, hear and determine the writ.

This clause, then, may be regarded in two aspects, the one as an express reservation to the States of the power and jurisdiction over the writ of habeas corpus, in all cases whatsoever, except in cases of rebellion or invasion, when the public safety might require its suspension, and in such cases as an absolute grant of power to the Congress to suspend its privileges. But these cases must be declared by Congress before any suspension can be ordered. All this goes to show that the framers of the Constitution not only recognised in the States the general absolute control of the writ, but, by the provisions cited, absolutely required obedience to it, on all occasions, and by all persons and functionaries, whether State or Federal, unless Congress should declare the existence of the emergencies wherein it might and should suspend its privileges.

In view of this remarkable provision of the Constitution, it is not a little surprising that a claim is lately set up in behalf of Federal Officers, even of the lowest grade, of entire immunity from any obligation to regard the writ when emanating from State authority, and that jurisdiction of this writ is pertly questioned by inferior ministerial officers, even when issued from the highest tribunal of a sovereign State. However regardless a people may be of encroachments upon the power to which alone they have confided their liberties, it would seem that such pretensions, from such sources, could hardly fail to invite inquiry in regard not only to the rights of sovereignty originally reserved, but in regard to what yet remain, not yet frittered away by thoughtless acquiescence on the one hand, or voluntary surrender on the other.

But it seems to me unnecessary to pursue this subject further. The whole tenor and scope of the Federal Constitution indicate most clearly that the State Judges, and, indeed, all State officers, are essential to its maintenance and support, and accordingly the very last clause in the instrument requires such officers to be bound by oath or affirmation to support it. Yet, the course of reasoning sometimes resorted to, in order to oust the State Judiciary of jurisdiction of a constitutional question, is based upon the assumption that State Judges must necessarily be reckless of such obligation, and that [illegible] duty is only to be expected from Federal officers. But this assumption goes too far. It is a weapon with a double edge. The same hypothesis presupposes that Federal Judges are utterly unmindful of the restriction which the Constitution imposes upon Federal power, and that they are willing, for the sake of "*uniformity*," to administer all power, both State and National. Neither assumption is true. The earnest desire of all is, to ascertain the true line of duty, and to act accordingly.

That errors upon both sides must necessarily be committed, is only admitting that the agencies by which each Government is administered are human. But those who suppose that error upon the one side or the other must necessarily lead to insurrection, revolution and anarchy, have studied the temper of our people and officers to little purpose. Time, reason, reflection, discussion, forbearance, patriotism, will now, as they have done heretofore, prove that the wisdom and intelligence of parties interested, and especially of the ultimate authority, will be found competent to the emergencies which call for their exercise, and equal to the fortune which may put them to the test.

I agree fully with the course of reasoning of my brother Crawford, upon the second branch of this case, viz., that the record of conviction here returned does not show an offence within the jurisdiction of the Federal Court, even admitting the Act of 1850 to be constitutional; and even on that ground alone I should agree to discharge the prisoner. I am permitted and desire to adopt his course of reasoning in this respect, which is so clear and conclusive that further suggestions would be entirely superfluous. I will only say that whatever the Congress may have designed by the 7th section of the Act of 1850, such design can only be discovered from the words of the statute. If they failed to designate the offence as they intended to do, their defect cannot be supplied by any legislation of a judicial tribunal. By their own language must their enactment be construed; and if their intentions may be thwarted in consequence of a failure accurately to express them, Congress has the same power to amend that it had originally to enact the statute.

I have deemed it my duty on this occasion to express my views upon a question which I deem vital to the system on which our Government is based. The foundation of my action is broader and deeper than the mere purport of the indictment, though that alone would be sufficient for the present emergencies.

But the question suggests, and, indeed, upon the argument have been raised questions involving the powers of the Federal and State Governments; questions not confined to the particular subject matter of the Act of 1850, but questions pervading, from time to time, arise. And firmly do I believe that the beneficent designs of the Union can only be realized, and the Union itself only preserved, by maintaining the independence and sovereignty of the States intact, in all respects except where they have clearly delegated power, and by confining the Federal Government to powers clearly conferred, I have felt called upon to place my views upon our records, in order that I may discharge my full duty, and that my reasons for the decision to which I have been impelled may be fully known, and not misapprehended.

OPINION OF JUSTICE CRAWFORD.

In re the petition of John Ryecraft to be discharged from illegal imprisonment.

Since the decision in the case of Sherman M. Booth, which came before, us by *certiorari*, at the last Term of this Court, I have taken occasion to review the opinion given by me in that case, in order to discover whether I had erred in any of the positions there assumed by me.

That opinion was written during the active duties of a General Term, and without an opportunity for very great deliberation. The result of my re-examination of that case, however, has produced no change in my views of it; and, so far as the questions then presented are involved in the disposition of the present case, I deem it only necessary to say that my opinion then given remains unchanged.

The simple question which attracts my attention in this case is, whether the District Court of the United States for this District had jurisdiction of the offence of which this petitioner was convicted in that Court; because, if it had such jurisdiction, it matters not how illegal, unjust or arbitrary the proceedings in that Court may have been, nor how many errors may have been committed upon the trial—if the Court had jurisdiction of the subject, and of the person charged, it is by no means my duty, as a judicial officer of this State, to revise the decision or correct the errors of that Court, in a case properly within its cognizance. That is the function of a superior Federal tribunal, if such revising power were provided or given, or deemed necessary, by Congress.

The District Court of the United States for this District is a court of special or limited jurisdiction. It can take cognizance of offences punishable by the laws of the United States, and of such offences it has exclusive jurisdiction; but it possesses no power to take cognizance of, or punish offences against, the laws of the State. Of these latter, the State tribunals have a jurisdiction equally as exclusive as is the jurisdiction of the Federal Courts over offences provided for by the laws of Congress. It cannot be necessary to refer to authorities to sustain this position. It is a well-settled principle that Courts of inferior or limited jurisdiction, which do not proceed according to the course of the common law, but derive their special authority from statutory provisions, are confined strictly to the exercise of the power conferred upon them, and the facts necessary to give them jurisdiction must appear affirmatively on the face of their proceedings, and cannot be presumed.

It is not denied that this principle applies to all *mere inferior tribunals*, but that it extends to the Circuit and District Courts of the United States has been frequently denied by the Supreme Court of the United States.

In Kempe's Lessee vs. Kennedy (5 Cranch, 185), that Court held that "the Courts of the United States are all of limited jurisdiction, and these proceedings are erroneous if the jurisdiction be not shown upon them. Judgments rendered in such cases may certainly be reversed, but this Court is not prepared to say that they are absolutely nullities which may be totally disregarded." So, also, in McCormick vs. Sullivan (10 Wheat., 199), the same Court, in speaking of the inferior Courts of the United States, say: "They are all of limited jurisdiction, but they are not on that account inferior Courts in the technical sense of those words, whose judgments, taken alone, are to be disregarded." The same doctrine is illustrated and acted upon in *ex parte* Tobias Watkins (3 Peters, 193), and in Kennedy et al. vs. Georgia State Bank et al. (8 How., 586), and the basis of the rule must be found in that *presumption* of jurisdiction which the law raises—that the solemn adjudications of a Court of Record have been given in cases only in which it had power to act. This presumption certainly applies to all Courts of general jurisdiction, and, for the purposes of the present case, and in obedience to the decisions of the Supreme Court already cited, we may apply it to the District Court of the United States for this District; but if the record of a judgment or proceeding in that or any other Court whatever should come before us collaterally, and upon the face of the record it were apparent that the Court had no jurisdiction to render any judgment in the premises, we would not and could not hesitate to disregard it; there the presumption in favour of the validity of the proceedings would be destroyed, and the judgment would have no force. Suppose, for instance, that a judgment record, coming from a Court of general jurisdiction, should disclose the fact that without affording the defendant an opportunity to make a defence, and without in any manner citing him to appear, either by service of *mesne* process or otherwise, the Court had proceeded *ex parte*, and rendered a judgment against the defendant, surely we would be justified in treating the proceedings as *coram non judice*.

Now, the return made by the Sheriff of Milwaukee County, in this case, contains a record of the proceedings in the District Court, in which this relator was convicted and sentenced, which not only takes away mere presumption, but incontestibly shows that the District Court had no jurisdiction of the subject complained of in the [illegible] and that the [illegible] was a conviction, where the charge of violating the United States revenue laws had not been sustained by the verdict, be beyond the inquiry of this Court?

Would the conviction and sentence, in such a case, be the "final judgment" of a Court of *competent criminal jurisdiction* of the offence of which the party was convicted, or would the imprisonment consequent on such a sentence be "by virtue of process issued by any Court or Judge of the United States, in a case where such Court or Judge has *exclusive* jurisdiction"? I cannot think so.

Whenever, in a case like the present one, a writ of *habeas corpus* issues, directed to a Federal officer, and he makes a proper return, setting forth the cause or process by which the party is restrained of his liberty or confined, I conceive it to be the duty and within the legitimate power of this Court, or the officer before whom the writ is made returnable, to examine as well the process by which, as the cause for which, the party is restrained or imprisoned. If the process be such as might be issued by the tribunal or officer who issued it, and the cause or matter in which the proceedings were taken be within the authority or power or jurisdiction of the Court or officer, then there is a plain duty imposed upon the Court or officer who issued the writ of *habeas corpus* to remand the party; but if, on the contrary, the process or warrant for the imprisonment be unauthorized, or the subject matter upon which the party has been deprived of his liberty be not within the authority or cognizance of the Court or officer who has assumed to act, then it is equally incumbent on us to discharge the party.

The Constitution of this State (art. 1. sec. 8) secures to every person within the State the privilege of the writ of *habeas corpus*, and the use of that writ is adapted to all cases of *illegal* restraint or confinement. The Justices of this Court, as well as judicial officers of the State, who are vested with the power of awarding this writ, would be recreant to the duty imposed upon them, and to the trust imposed in them by the people, if in any case of illegal restraint, in which they have power to act, they hesitated to perform the requirements of the Constitution and laws of the State, by using this writ as a means to see that no person within the boundaries of this State shall be deprived of his personal liberty without the authority of law. If this were not so, the utility of the writ of *habeas corpus* would not only be greatly invaded, but in many instances it would become a name without a substance. It is idle to say that the use of the writ to this extent may be productive of dangerous consequences, or result in any serious collision between the Federal and the State officers. So long as the functionaries of these respective powers are true to the obligation and duties imposed upon them, so long as apprehended. I [illegible] would, indeed, shrink to assume to act in derogation of the prerogative of the other, a means of correcting the evil would be very necessary; but we are not without that corrective. An unwarrantable infraction of the jurisdiction of the State tribunals by the Federal Courts would call forth an assertion of their prerogatives and power by the State Courts; and if in this the latter were wrong, a peaceful means of redress is affordered by a resort to the Court of *dernier resort*—the Supreme Court of the United States—whose decisions should and would be acquiesced in by all parties.

Viewing this case as it is presented by the return, I am of the opinion that the relator is entitled to be discharged from the custody of the Sheriff of Milwaukee County, inasmuch as the record of conviction and sentence from the District Court of the United States for this District, by which his imprisonment is sought to be justified, presents no conviction and sentence of an offence which that Court has jurisdiction over.

On the argument of this case, the counsel for the relator insisted upon a distinct ground for the discharge.

It was, that the Act of Sept. 18, 1850, was entirely unconstitutional and void. A correct understanding of the views of that question, taken and expressed by the several members of this Court at the last Term, would perhaps have rendered it unnecessary to urge this point in the present case. I need only remark that, upon this question, we each entertain the opinion then expressed.

The case of Sherman M. Booth, which was argued and considered in connection with this case, is substantially disposed of in the foregoing opinion. The defect of jurisdiction in the United States District Court is equally patent in his case, and, therefore, I believe he is entitled to be released from imprisonment.

From the Christian Inquirer

REV. S. J. MAY'S LECTURE.

REV. S. J. MAY, of Syracuse, after being introduced by some very happy remarks from Mr. Oliver Johnson, which are reported in the *Tribune*, gave, on Tuesday evening last, the eleventh lecture in the Anti-Slavery course, at the Tabernacle.

Mr. Johnson said:

"The Abolitionists have often had occasion to speak in tones of sorrow and indignation of the degeneracy of the American Pulpit on the great question of Human Freedom; to mourn that, in the high places of the Church (to use the language of Coleridge),

> 'The sweet words
> Of Christian promise—words that even yet
> Might stem destruction, were they wisely preached—
> Are muttered o'er by men whose tones proclaim
> How flat and wearisome they feel their trade';

to denounce the hypocrisy of those

> 'Who preach and kidnap men!
> Give thanks, and rob God of a part afflicted poor!
> Talk of Christ's glorious liberty, and then
> Bolt hard the captive's door.'

But, notwithstanding the general delinquency, there have always been a few members of the clerical profession who, in face of popular obloquy and scorn, have dared to utter the whole counsel of God, whether men would hear or forbear. It is a clergyman of this class whom I have the honour to introduce to you on the present occasion; one who, in the eventful struggles of the last quarter of a century, has ever been faithful to the Anti-Slavery cause. And I am very sure that when you have heard the lecture of this evening, you will be ready to confess that, although we could not prevent the failure of our *Banks*, we have, at least, preserved the currency of this platform from depreciation."

Mr. May's subject was the history of the Anti-Slavery Movement in this country, which proved to be very much the history of William Lloyd Garrison. Mr. May has the most exalted and enthusiastic notions of the character, services and merits of Mr. Garrison, and it was really refreshing to hear a name, usually mentioned only with censure or qualifications, so lovingly and admiringly pronounced and dwelt upon. Mr

The fact that it began at the South, in the Colonization Society, and that lecturers first came from there, depicting the horrors of slavery, and calling on the North to come to the aid of the South in exporting her free negroes, and diminishing the numbers of her black population, is one utterly forgotten by those who are now bidding the North be silent on the subject.

Mr. May stated one fact, bearing upon the policy of immediate emancipation, which is worth a thousand theoretical objections, viz.: that not a single instance can be adduced of a slave's turning his newly received freedom against his old master. The laws of human nature ought to satisfy us that this would be so; but we are glad to have a careful man's assertion that it is so.

The lecturer drew the attention of his audience to the gross inconsistency of the principles of our revolutionary fathers with their slaveholding practices; and after scourging Patrick Henry and Thomas Jefferson for their brave words and their cowardly customs, their "Give me liberty or give me death," with their purchase and enjoyment of slave labour, went on, in a softened tone, to disparage Washington himself, as one whose slaveholding must, with the growth of correct sentiments, leave an ever-deepening shadow upon his resplendent name. All our love for the lecturer, and all our interest in anti-slavery, could not keep down some feelings of choking at this unnecessary slur upon one whose services and character are so precious in American hearts. Indeed, we distrust the wisdom or justice of holding the men of other generations to the standard of our own. Men are to be judged by their own light, not by ours, and there can be no pretence that slaveholding was as sinful two generations back as it is now. "If I had not come and spoken unto them, they had not had sin," said our Saviour, and, with Mr. May's notions of Mr. Garrison's mission, as almost or quite divine, we do not see how he can fitly hold those who lived in the ante-Garrisonian era amenable to the Garrisonian Gospel. This, however, was to us only a small blemish, and evidently a beauty-spot in the eyes of the audience.

The lecturer's opening comparison of the origin of the anti-slavery cause with the rise of the Danube, starting in a spring in a nobleman's garden at Baden, was admirably carried out. It formed a sort of musical theme, or key-note to which he constantly and delicately referred, in an artistic manner, all through the lecture, and which finally grew into a flood of mild eloquence, as he likened, in conclusion, the swell of the current, which had feebly begun in Garrison, but had gathered a hundred noble tributaries (whose names were all mentioned) to the Mississippi, sweeping away the dykes of the South, and bearing its resistless fertility into the whole country. "This moral Mississippi," the anti-slavery sentiment of the North, was destined, he said, to a triumph over Southern prejudice similar to that which Northern water had over Southern plains.

We know no instance of the union of radical notions, and uncompromising practices, with a mild spirit and gentle manners, equal to that exhibited by Mr. May. If he will let Washington alone, we will engage to thank him, should he think it his duty to box our ears in public. We doubt not that the severity of the blow would be accompanied with a smile, which would make it easy to turn the other cheek. Our friend's satire and severity are lined with tenderness, and resemble the ordinary kinds of anti-slavery wrath about as much as the blackness of the clouds around the full moon resemble the blackness of the thunder-storm.

Leaving out the first third of the lecture, which was too general to be interesting, we think the last two-thirds are eminently instructive, and ought to be seen in print.

Mr. May exhibited the first number of the *Liberator*—a very interesting and curious document. He read from it the passage in which Mr. Garrison announces his intention of being as "rough as truth" in his treatment of slavery—a promise the public think him to have at least fully redeemed.

In the last number of the *Anti-Slavery Advocate* we stated that the report then given of the proceedings of the London Anti-Slavery Conference was mainly taken from the *Empire* newspaper, with the addition of some important speeches which were much more amply reported for us by the speakers themselves. In the same number, in reference to a very short notice in the *Empire* of a glowing eulogium pronounced by Mr. George Thompson on the American Anti-Slavery Society, we observed in a note that "no other report of the Conference, amongst many which have reached us, makes any mention of the speech of Mr. Thompson thus succinctly reported, nor of any other allusion by him to the American Anti-Slavery Society." This note is not satisfactory [illegible] in the last number of the *Advocate*; which we give at full length in our present number. The truth is, that we had no choice but to make some such statement. Until a few days ago, when we received a copy of that speech of Mr. Thompson, cut from the *Empire* of January 13th, six weeks after it was delivered, we had never seen, nor even heard of any other report of it. None of our correspondents or informants (including persons of very different shades of opinion on anti-slavery matters) had given us to understand that they heard such a speech. We have since heard of some who say that some such words were used; but until the actual speech itself came to hand, we had seen or heard of nobody who received the impression which this speech of Mr. Thompson's, so clear, distinct and emphatic, is calculated to make. We cannot but think there were some unfortunate circumstances of time, place or manner on the part of Mr. Thompson, or of absence or inattention on that of his hearers, which, if explained, would enable us to understand the remarkable discrepancy between his printed speech, and their impressions of it.

For our part, if we had had the speech at the time of our last publication, or had known where to get it, we should have been only too glad to insert it in its proper place. No voice was so much wished for, so much longed for, by the friends of the American Anti-Slavery Society at the late London Conference, as that of George Thompson, and behold, just such a speech is here, taken down by a competent reporter on the spot, and certified as correct by the signature of the speaker. We consider the substance of this speech, and of those published specially in the last number of the *Advocate*, of more value than most of the original report in the *Empire*; and why these were selected for omission we do not understand.

On Mr Thompson's services to the anti-slavery cause in England and America, on his chivalrous, disinterested adhesion to the American Anti-Slavery Society and its friends, through good report and evil report, it would be needless to dilate. Knowing and feeling this as we do, it was inevitable that we should remark upon the absence from the columns of the *Empire*, and from our own, of the very speech which we were most anxious to see. We give it in another column, and it shows that while Mr. Thompson, for reasons, no doubt, satisfactory to himself, acquiesced in the omission of the name of the American Anti-Slavery Society from a vote of sympathy on the part of the British and Foreign Anti-Slavery Society with the American Abolitionists in general, he is unchanged in his estimate of the services of the American Society to the anti-slavery cause.—*(London) Anti-Slavery Advocate.*

MR. GEORGE THOMPSON AND THE ANTI-SLAVERY ADVOCATE.

We conceive that when facts are to be published, the first duty of an editor is to tell the truth and nothing but the truth; and the next is, to avoid all needless offence to individuals. Such has been our conscientious endeavour in conducting this paper. We regret, however, to find that our last number, containing a report of the London Conference, and letters from correspondents respecting it, has given great dissatisfaction to so distinguished a champion of the anti-slavery cause as Mr. George Thompson; and we feel bound not only to give space to the "Defence" he has published in consequence, but to say something in explanation of our own course in this matter.

The late London Conference was looked forward to, somewhat in the light of an offer, on the part of the Broad street Committee, to forget past differences; to esteem zealous Abolitionists everywhere as welcome fellow-labourers; and, without regard to sex or sect, to labour with them in good faith for the common object which all profess to have in view. Friends of the American Anti-Slavery Society, from distant parts of the country, attended it, for the purpose of hastening this consummation. If such a disposition had really existed on the part of the British and Foreign Anti-Slavery Society, we think they need have had no difficulty in passing a resolution of friendly sympathy and cooperation with the American Anti-Slavery Society—the Society which some of their body had heretofore done their best to calumniate and cripple, and which was virtually represented at the Conference by one of its most noted and trusted champions, Mr. Parker Pillsbury. All who have read the account we have published of the proceedings of the Conference, know how far this expectation of harmonious coöperation was justified, by the rejection of the resolution of confidence in the American Anti-Slavery Society, in favour of a more general resolution of confidence in all American Abolitionists, which, in the circumstances under which it was passed, we regard as of no value whatever.

Of all the British friends of the American Anti-Slavery Society present at the Conference, by far the most distinguished for his services, talents, and eloquence, was Mr. George Thompson; and it was naturally hoped by those with whom he had hitherto acted, that not only in private conference but in public discussion, none would be more active in watching over the interests of the American Society, and claiming for it that full recognition to which it is entitled. As we do not reside in London, and were not present at the Conference, we were obliged to take our impressions from the newspapers, and from the letters of our correspondents and friends who attended. We cannot deny that the tenor of all the accounts we received from them (and we have the fullest confidence in the correctness of their statements) indicated very great disappointment that Mr. Thompson not only did not support the special resolution of sympathy with the American Anti-Slavery Society, but that, by his potent example, he gave weight to the course recommended by the New Broad street Committee. They did not think he showed that zeal, heartiness and earnestness on behalf of the American Anti-Slavery Society, which all his antecedents entitled them to expect at his hands. Possibly he acted as he thought best for the anti-slavery cause, and for the interests of the American Anti-Slavery Society. But the impression made upon the friends of that Society by his course at the Conference, was such as we have attempted to describe. All this is faintly showed forth in the published letters in the *Advocate*. We are under deep obligation to the anti-slavery cause; and it is to George Thompson more than any other man we are bound to express our gratitude for the debt. We have never had a word of difference with him. We honour the disinterestedness, fidelity and moral courage which have so remarkably distinguished his anti-slavery career. But just in proportion to our admiration of his character and conduct, were our surprise and disappointment on this occasion. Of his private labours with the Committee of the British and Foreign Anti-Slavery Society we could not speak, for we knew nothing of them. Being now furnished by him with the details, we gladly give them publicity. That he trusts the New Broad street Committee, and has shaped his conduct in agreement with that confidence, is highly probable, for he is of a generous and trusting nature. But the result is, that he made an impression on the minds of many of his friends inconsistent with his former course, which it would have been wonderful if they had not noticed; but which Mr. Thompson has done far more than anybody else to proclaim. We do not dispute his right to adopt any course he may see fit to take or to recommend; but, on the other hand, he surely will not deny to others that right to canvass the policy and conduct of public men to which all prominent individuals are liable in a free country. Nothing has preserved the American Anti-Slavery Society in its purity and vigour, so much as the unswerving impartiality with which the course of all anti-slavery labourers, no matter how distinguished, has been canvassed, censured, or applauded; and if there is to be any vitality in the conduct of the cause in these countries, it must be by asserting a similar liberty.

It is exceedingly distasteful to us to appear in a position of collision with Mr. Thompson. We know when differences of opinion arise, which have their origin in the varying reports and interpretations of spoken words, in shades of manner, in silence kept or silence broken, how difficult, how almost impossible it is to reconcile them by written explanations, particularly if anything like recrimination enter in. If any man could give guarantees by conscientious devotion, by a long course of labour and sacrifice in the anti-slavery cause, Mr. Thompson is the man. But the more consistent a public man has been, the more will be expected from him, and the more narrowly his course will be observed; and it is vain for any one to hope that any amount of past services can free him from criticism. Conscious of our own friendly feeling to Mr. Thompson; always ready to confess our obligations to him through our anti-slavery course, and to assert his fidelity to the anti-slavery cause through temptations and difficulties which few could have withstood; fully aware how highly he is respected and esteemed by those whom we most respect and esteem; we had much rather refrain from pursuing the subject, and trust that Mr. Thompson will be enticed into [illegible]

LETTER FROM REV. FRANCIS BISHOP.

To the Editor of The Anti-Slavery Advocate.

Dear Sir: I have received a printed letter addressed to you by my friend Mr. Chesson, which, I suppose, will appear in your next number, commenting on my brief outline of the recent Anti-Slavery Conference in London, published in the *Advocate* for the present month; upon which, much as I dislike mere personal controversies, I feel bound to make one or two remarks.

It was with no little amazement that I read my friend's assertion, that my letter "showed a disinclination to do justice to Mr. Thompson," and that it was also marked by a *suppression of the truth*. Most eagerly did I read on to see upon what evidence an *animus* of which I was so utterly unconscious, and which was indeed so directly opposed to all my feelings, could have been supposed to have influenced me; and my surprise was not diminished when I found that both charges were made to rest upon my not having mentioned circumstances of which I was profoundly ignorant, till informed of them by Mr. Chesson himself, in his letter of accusation. "Mr. Bishop," he says, "does not describe the circumstances under which the names of the American and American and Foreign Anti-Slavery Societies were introduced into the amended resolution which he saw; nor does he take the slightest notice of Mr. Thompson's exertions in connection with them." I certainly did not, because I knew nothing whatever of them. Mr. Thompson's call at the British and Foreign Anti-Slavery office; his interview with Mr. Chamerovzow; his share in shaping the resolution which was shown to me not as an "amended" resolution, but as the orignal resolution of the committee; these things, which Mr. Chesson proceeds to mention, I now hear of for the first time. How absurd, then, is it to charge me with suppressing the truth because I did not advert to them in my letter! I do not see, moreover, that they have any important bearing on the question. Had I been aware that it was at Mr. Thompson's instance that the reference to the American Anti-Slavery Society had been included in the resolution that was first handed about, I might have been more surprised than I was at his consenting to its being struck out; but my omitting to describe all these secret negotiations, to which I was no party and of which I had no knowledge, does not affect in the slightest degree my plain, literal and scrupulously correct statement of facts.

Though not originally intended for publication, and written in the hastiest manner to save the evening post after the breaking up of the Conference, my letter gave a fair and complete view of all that I knew, and briefly described all the *data* upon which I had to make up my mind, in the difficult circumstances in which, at the very last moment, we were unexpectedly placed. We need not have been compelled to decide our course of action under such emergent pressure. At our consultation on Wednesday evening, after Mr. Thompson had informed us that, in the resolution that had been shown to us, Mr. Chamerovzow had gone too far for some of his committee, who had not in the first instance seen it, and who objected to the American Anti-Slavery Society being named, we came to a half-formed agreement, in which Mr. Thompson was understood to acquiesce, that when the resolution came up for discussion, it would be desirable that Mr. Thompson should move an amendment claiming for the American Anti-Slavery Society that honourable mention to which we thought it, in the circumstances, fairly entitled.* To avoid, however, doing anything hastily, our little party agreed, without a dissentient voice, to meet the next morning half an hour before the time at which the Conference was to assemble, and then come to a final decision. Most of us were present at the hour appointed, but Mr. Chesson did not come at all, and Mr. Thompson, without whom we could not move, as he had allowed us to expect that he would occupy his fitting place as leader in the matter, did not appear till an hour or more after the time agreed upon, and when the subject was actually before the Conference, and Mr. Sherman had nearly got through the speech with which he introduced the American resolution. Then came a hurried interview between Mr. Sturge and Mr. Thompson, and an equally hurried inverview between Mr. Thompson and ourselves, followed by an abrupt abandonment, in consequence of Mr. Thompson's change of view, then first made known to us, of all our plans and resolutions of the preceding evening. We thus went into the room in a state of painful indecision; and what followed your report described.

Here I would willingly conclude, but candour and a sense of justice to yourself compel me to add a few lines more. It was with great surprise that I read in a published report of the discussion that took place on the amendment I proposed, that Mr. Thompson pronounced a "glowing tribute" to the American Anti-Slavery Society. I must say that I heard nothing of the kind. I was eagerly looking out for such an outburst. I longed to hear it, as I had often heard it from his eloquent lips before, and as I will hope I may often hear it yet again, but no such grateful strains reached my ears; had they done so, I should have been too glad and thankful to have omitted to acknowledge it in my brief record. It would certainly have been a fact which I would not willingly have left unchronicled. I am, dear sir, yours faithfully, Francis Bishop.

Liverpool, January 24th, 1855.

—*Ibid.*

* My friend, Mr. Chesson, suggested to me aside that I should second the amendment, but I declined, from a desire, for reasons which I explained to him, to take part rather in a subsequent stage of the discussion which I expected to follow.

LETTER FROM SENATOR WILSON.

NATIVEISM AND SLAVERY.

From The American Organ, February 19.

We have just received an answer of Senator Wilson to a letter addressed to him by us two days since, and submit the correspondence to our friends and the public. If Senator Wilson's emphatic response to our inquiries does not check the progress of the enemies of the "American party" in their mischievous attempts to identify our party with Abolitionism, we underrate the intelligence of the people of the South.

Opposed as Senator Wilson and all the North have been and *now* are to slavery, we may at least reiterate our former opinions on the subject, that the Southern States have less to fear from him than from those Forney and Pierce democrats who resolved, at Columbus, Ohio, finally to eradicate slavery. We shall comment fully on this subject hereafter.

Washington, Feb. 17, 1855.

Dear Sir: Referring you to my editorials for the last two weeks, I have to ask you how far I have correctly represented your views in my comments upon your letter of 20th January, and the articles in the Boston *Bee*, which I have copied? In other words, do you or not recognise the doctrine of State rights, so far as to permit the several States to regulate the question of slavery in their own mode within their State limits? Do you or not entertain the opinion that Congress has power to interfere with slavery in the States? Do you or not recognise that "higher law" doctrine, which permits you as a Senator to disregard the binding obligations of the Constitution? Does the "American organization" in Massachusetts embrace the question of slavery amongst those for the regulation of which that organization was formed?

Your answer at your earliest convenience will oblige your obedient servant,

Vespasian Ellis,
Editor *American Organ.*

Hon. Henry Wilson, United States Senate.

Senate Chamber, Feb. 19, 1855.

Dear Sir: My answer to your inquiries will be brief and explicit.

1st. I fully recognise the doctrine of *State rights* in its application to slavery, as well as to any other matter of public concern.

The Virginia and Kentucky resolutions of 1798, in the main, as I think, correctly set forth that doctrine.

The whole subject of slavery within State limits should be left absolutely to State legislation.

2d. My response to your second question is included in my answer to your first. I do not entertain the opinion that Congress has any power to interfere with slavery as it exists under State laws.

3d. Every man who believes in a God must necessarily believe that there is a law paramount to all human law, and that this law is to be obeyed by men in public and private life, rather than any human law in conflict with it. But I see nothing in the Constitution of the United States, as I understand the Constitution of the United States, which requires me, as a Senator from Massachusetts, to do anything in conflict with the law of God. If I thought otherwise, I would not take an oath to support the Constitution of the United States.

4th. The American organization in Massachusetts does not embrace the question of slavery among those for the regulation of which it was formed.

The people of Massachusetts have fixed opinions, in which most of the members of that organization fully concur, against the support or allowance of slavery by national legislation.

They entertain the most profound conviction that the harmony and repose of the country, and the highest interests of the master and the slave demand that the national government should be relieved from all connection with or responsibility for slavery, and that this disturbing question should be left to the people of the States where it exists.

While they do not seek to impose these convictions and opinions upon their fellow-citizens of other States, or to proscribe them for not fully any body of men, or section of the country.

I, as a Senator from Massachusetts, shall claim for the opinions of her people, all the freedom of utterance, and all the influence upon the action of Congress, and the administration of the government, which a Senator from Virginia can claim for the opinions of the people of the Ancient Dominion. Yours truly, Henry Wilson.

Vespasian Ellis, Esq.

RALPH WALDO EMERSON.

"Ralph Waldo Emerson will lecture at the Tabernacle on Tuesday evening next, upon the subject of slavery and Know-Nothingism *passim*. This is a topic about which Emerson has hitherto said very little; but he is now reported to have reached very clear and positive convictions upon the subject, and is ready to have all the slaves in the country purchased by the general government at once. He is a substantial acquisition to the anti-slavery forces."—*N. Y. Eve. Post.*

We are surprised that so well-informed a journal as the *Post* should suppose Mr. Emerson to be a recent "acquisition to the anti-slavery forces." Mr. Emerson has been an anti-slavery man for many years. He has voted with the Free Soilers from the formation of their party to the present time. Twelve years ago he delivered an anti-slavery address on the first of August, at a meeting of the Abolitionists held to celebrate the emancipation of the slaves in the British West Indies. The address was published and widely circulated at the time. In his poems he says of New Hampshire that God

Taunted the lofty land
With little men—

Because among her hills he found

"The jackalls of the negro-holder."

In 1850 and 1851 Mr. Emerson publicly lectured in his plainest and most forcible manner upon Daniel Webster and his seventh of March speech. So strongly anti-slavery was the tone of this lecture, that its delivery in Cambridge was interrupted by a violent tumult among the students, who formed a portion of the audience.

The fact is, that with the exception of Mr. Hawthorne, every New England author who is likely to be heard of a hundred years hence, is on the side of Freedom. Mr. George Lunt the author of Eastford, and Mr. Henry J. Sargent of the Moulting Muse, are the only friends of Slavery that we know of among our literary men.—*Bos. Telegraph.*

Seeking Fugitive Slaves in Chicago—Colored People Flogging Slave-Hunters.—About two months ago, two men, who live near Independence, Missouri, named Calbert and Bagsby, came to this city in search of four of their runaway slaves, who had come thus far on their way to freedom. They put up at the City Hotel, and their business soon leaked out. Their runaway chattels were all here, consisting of two young women and two men. They soon found out this, and enlisted in their service a person named Thurston, who promised to catch their negroes for them for $40. This they paid over to him, but Thurston found that negro-catching was not quite so easy a matter, and did not fulfil his promise.

The coloured people here concluded that they had bothered them long enough, and concluded to give them a sound whipping and send them back to Missouri. So on Friday night one of their number, whom Calvert and Bagsby had often tried to bribe, went out to walk with them, and conducted them down to Buffalo street, where some fifteen stout gentlemen from Africa awaited them. Mr. Calvert was armed with a pistol, and on finding himself in rather dangerous company, drew it and attempted to shoot one of his assailants. He was immediately knocked down and delivered over to the tender-mercies of a two-fisted negro, who gave him a sound dressing, while his comrade was treated in the same manner. They were then set upon their feet and told to run for their lives, which they did in excellent style.

They left for home yesterday morning, without their "niggers," having expended two months time and two or three hundred dollars in the search for them, and armed all the time with a writ from the United States Court for their apprehension, and covered all over with the panoply of the Fugitive Slave law.—*Chicago Tribune, Feb.* 15.

Interesting Negro Case.—The Orphans' Court of this county were engaged, on Tuesday last, with the case of a negro boy charged with violating the act of 1839, chapter 38, prohibiting free negroes from coming into the State. The facts, as proved, were that the boy Mahlon, *alias* "General Blackhawk," was an indentured apprentice, bound to Mrs. Ann Heath, of New Jersey, by whom he was brought into this State, she being on a visit to her son-in-law, Mr. Wm. Lair, of the Fourth District. The questions presented to the Court by the counsel for the boy were: 1st. Whether the case came within the Act of Assembly, the penalty being for "coming" into the State, signifying the voluntary act of the party, which violation he could not be supposed to have exercised, as he was the servant of another; 2d, that the case came within the *exception* of the statute—the mistress of the boy being in the State on a visit. The Court held that the case was not one within the meaning and intent of the law, and the boy was discharged. Grason, counsel for the State; Groome for the boy.—*Cecil Whig (Md.), Feb.* 3.

Legislative Hearing on Anti-Slavery Topics.—Messrs. Wendell Phillips, of Boston, Seth Webb, Jr., of Dedham, and John A. Andrew, of Hingham, yesterday afternoon addressed the Committee on Federal Relations, at the State House, in support of the various petitions asking for legislation to prevent the rendition of persons claimed as fugitive slaves, and to secure the trial by jury and the writ of habeas corpus for such persons. Their remarks were effective, eloquent, and, we thought, conclusive, giving great satisfaction to a large assembly. Mr. Webb designated the wants of the petitioners to be an act restoring the writ of habeas corpus to every person claimed as a fugitive slave, substantially like the act of Vermont, and the bill introduced into the Massachusetts Senate in 1851, by Hon. J. T. Buckingham; an act giving to every person so claimed, trial by jury, with provisions for bail, for taking the poor debtor's oath, and for appeal; an act forbidding Judges, any civil magistrates, or the military of the State, from acting in any way for the arrest or return of fugitive slaves; an act forbidding the use of all the public buildings of Massachusetts, or the buildings of any incorporated company (including railway depots and cars) from receiving any person claimed and held as a fugitive slave; and, lastly, an act similar to that of Connecticut, punishing the crime of kidnapping or attempting to kidnap, with a fine of $5,000 and imprisonment in the State Prison for five years.

A correspondent of the Salem *Register* adds the following to the above account:

The Committee on Federal Relations, I think it was, gave a hearing to such as are desirous of getting a "Personal Liberty Bill" passed. A Southern slaveholder being present, was allowed to say what he chose on the subject of slavery, without any mark of disrespect. It may be well for such as write about the absence of mobs in the South, to consider whether there is any such freedom of speech as this in any State where slavery exists. The Southerner was followed in the discussion by a runaway slave (Lewis Hayden), who was more than a match for him in the line of argument he had pursued. This is an incident worth telling to the South.

National Anti-Slavery Standard.

WITHOUT CONCEALMENT—WITHOUT COMPROMISE.

NEW YORK, SATURDAY, FEB. 24, 1855.

DECISION OF THE WISCONSIN SUPREME COURT.

On the first page will be found the Opinions pronounced by Judges Smith and Crawford, two of the three Justices composing the Supreme Court of Wisconsin, in the case of Ryecraft and Booth, brought up on *habeas corpus*, after having been convicted, in the United States District Court for that State, of aiding the rescue of Glover, an alleged fugitive slave, and sentenced therefor to imprisonment and fine. The Opinion of Chief Justice Whiton has not, that we are aware of, appeared in print; but it is understood that he concurred in every particular with Justice Smith, who reiterated the former judgment of the Court, that the Fugitive Slave law is unconstitutional, and declared that the prisoners were therefore entitled to their discharge. Judge Crawford differed from his colleagues as to the constitutionality of the slave-catching statute, but united with them—upon grounds which he has carefully set forth—in the judgment that the prisoners must be set free.

We understand the gist of the decision to be this, viz.: That the powers of the General Government, so far as they affect the personal liberty of the citizen, are derived from the States; that, as the States, in the exercise of their primary sovereignty, *delegated*, while the Federal Government *took* power, the latter is, at all times, answerable to the former, and may be required to exhibit the deed by which it claims to do, or refuses to perform [illegible] that the General Government is answerable to the States, so far as to keep itself within the limited jurisdiction conferred by the latter; that an act of Congress without the constitutional sphere is no law, and that the question whether that body has transcended its powers and invaded the rights of the States, is one which the State Judiciary is bound to determine. As we understand the matter, the Wisconsin Court does not admit any right in the Supreme Court of the United States to reverse its decision. The prisoners have been discharged by competent authority, and any attempt on the part of the United States officers to rearrest them, for the purpose of enforcing the verdict of the District Court, could not fail to produce a collision which would have to be settled by force, unless one party or the other should yield. If Wisconsin stands her ground, this decision will have a revolutionary effect, and the Free States generally may yet take their stand upon the same ground.

What the United States Government will do in the premises remains to be seen. Judge Miller, of the United States District Court, at the opening of the February term, having been informed by the Marshal of the discharge of his prisoners, without waiting for authentic information, proceeded to review "the reasons—or, rather, the pretexts"—which, as he had been "informed," the State Court had assigned for its action. After arguing at length in favour of the constitutionality of slave-catching, he thus defines the position in which the United States has been placed:

"By the law of the State granting the use of the jails, the Sheriff and other officers are to keep the United State prisoners until discharged by due course of the laws of the United States. That these persons were not discharged by due course of the laws of the United States, is unquestionable; and that the opinions or order of the Judges of the State Court in the premises are of no more validity than the opinions or order of any three private individuals, is equally unquestionable. The result is, that the discharge by the Sheriff is a voluntary escape. The same law renders the officer liable to the same pains and penalties, and entitles the parties aggrieved to the same remedies against the Sheriff, as if the prisoners had been committed to his custody by legal process issued under the authority of the State. The law placed these prisoners exclusively in the custody of the Sheriff.

"Sheriffs, for permitting similar escapes of United States prisoners, in obedience to orders of State Judges, have been held liable, in civil cases, to the parties interested in continuing the imprisonment: Duncan *vs.* Darst, 1 Howard, 301; McNutt *vs.* Bland, 2 Id. 9. Whether the United States shall attempt to hold the Sheriff for the fines and costs, is not for me to say; or whether he is liable to an action at law at the suit of the United States, I shall not now intimate an opinion. Escapes of United States convicts from State Prisons have been frequent, but I am not aware that any Sheriff has been indicted therefor in the State Courts under the State laws This Court has no criminal jurisdiction of such offences.

"The term of imprisonment of Ryecraft had expired before the date of the order for his discharge. About one-third of Booth's term had then expired; at all events, he would be liable to rearrest and imprisonment for the residue of his term, upon a warrant from this Court when demanded. But as the Sheriff of Milwaukee, or any other county, would probably not now receive him, some other place of confinement would have first to be provided.

"If these discharges had been made in pursuance of an act of the State Legislature, whereby the use of the jails for prisoners committed under the authority of the United States would be *withdrawn in part*, I, as the Judge of the District, might direct the Marshal to withdraw all the United States prisoners from the custody of State officers, and to confine them in some place, in pursuance of the resolution of Congress, of March 3, 1821; but, notwithstanding the Marshal has been obstructed in several instances in the service of process, by writs of *habeas corpus* from State Judges, and the officers of this Court have been annoyed with unfounded suits, yet it is the duty of this Court, as other Federal Courts under similar circumstances have done, rather to look upon such proceedings as the result of local excitement, than as a disposition on the part of the State judicial authorities to embarrass this Court in the administration of justice, and to cause a rupture between the General and State Governments. Collisions between States and the United States, and conflicts between their respective governments and courts, have emanated mostly from extremists in politics, or from magistrates and officers of very limited practical knowledge of the peculiar jurisdiction of the Federal Courts; and that such difficulties have generally been settled through the virtue, patriotism and intelligence of the people, forms a prominent portion of the history of this country.

"These persons were convicted of one of the lowest offences, in point of punishment, known to the criminal code of the United States; and in passing sentence, this Court tempered justice with mercy, in directing imprisonment for a very small fraction of the time prescribed by law. As there is no immediate necessity for providing a temporary place of confinement, I shall refer the whole matter to the Government at Washington."

Judge Miller, it appears, waits for orders from his master. Mr. Booth, in his paper, the Milwaukee *Free Democrat*, says:

"Many of our friends believe that the Federal officers will not attempt to rearrest us, or to collect the fines imposed upon us. We think they are mistaken, and this opinion of Judge Miller shows what we may expect. He holds our Supreme Court in utter contempt, regards their decision as a nullity, and says it is only a question of time when we shall be recommitted to prison. The Marshal, we understand, has gone to Washington, doubtless for instructions, and those who suppose that the Slave Power will hesitate to enforce the decrees of its own Court mistake the character of slavery. *The attempt to rearrest us will be made*, and the question will have to be openly met, whether our people will succumb to the encroachments of the Slave-Catchers' Court upon our liberties, or maintain the decision of their Supreme Court. The collision, for ought we see, must come; and the sooner, the better. The slaveholders care nothing for the shedding of blood, as long as their blood don't flow. The doughfaces and serviles who have howled as bloodhounds for the slave-catchers should be willing to spill a little claret, if required by their Southern masters."

To show the state of public opinion in Wisconsin, we give extracts from several journals. The *Beaver Dam Republican* says:

"The Supreme Court are determined to protect the rights of the citizens of this State, and should the United States, backed by the military and civil powers at their command, insist upon the enforcement of their laws, no matter how tyrannical or brutal, the consequences may be dreadful. The U. S. Marshal, we understand, has gone to Washington for instructions, and on his return we presume we shall see the result, though we fear the end is not yet. Should an attempt be made to rearrest Mr. Booth, we believe resistance will follow; and that the attempt will be made, we have not the slightest doubt. That all wholesome laws should be promptly and properly executed, no one will for a moment deny; but that such an one as the Fugitive Slave law should be carried out in Wisconsin, we say God forbid! we care not whether it is friend or foe, rich or poor, who raise their arm in resistance to it, we glory in their resistance, and will hold ourselves in readiness to protect them, if possible, from further harm. We trust the U. S. Courts will consider discretion the better part of valour in this respect, and let the case drop where it is, though we must say we see but little grounds for such a hope. We await the final result with fearful anticipations, trusting, however, that all may yet prove for the best."

The *Fon du Lac Freeman* says:

"We have never known a time when apparently the whole people were so much aroused, so indignant at the recent demonstrations of the Slave Power, or in so good a condition to examine and believe in the great truths of freedom, as at the present time. We have cherished a hope for many years that the people were steadily progressing in accepting the Peace principle as the guide of their lives. But we confess that we begin to believe that there is more of the broad-sword and revolver philosophy in the midst of the people than we supposed. We have heard men—scores of them—openly declare their readiness to prick the veins of any slave officials who attempt by force of arms a reversal of the decision of our Supreme Court, that the Fugitive Act is no more binding on the people of Wisconsin than an edict from Hell. They are men, too, usually calm and undisturbed—men who fear and trust in God, and keep their powder dry. We verily believe that there is a spirit nursed in the hearts of the people that, if provoked by the appearance of an United States Army, determined to execute the behests of the Slave Power, would burst forth and sweep all opposition down in a twinkling. At a meeting in Dodge county, held recently, the entire audience rose to express their determination to grant a writ of *habeas corpus* themselves, if the Supreme Court refused one.

"Under such circumstances, it would be giving the Slave Power credit for little sagacity to suppose that they are anxious just now to reduce Wisconsin to subjection and *make* her citizens turn [illegible] the power must be will attempt it. They may appeal from the decision of our Court, and dilly-dally from term to term, and finally decide that something was out of joint in the proceedings, and virtually 'cave in' without seeming to. We have heard it contended that the Slave Power never stops in its schemes of plunder, that it always succeeds and that these cases in Wisconsin will be put through to the farthest extent. In reply, we answer that the Slave Power is about as smart as any other power in this country, and that it undertakes to do what can be done, as a general thing, and what can't be done it don't attempt, but expends its energies where it knows there is a harvest to be reaped.

"But in the attempt to enforce such an odious act among a people who feel as the people of Wisconsin now feel, and having a State Government to back them, it would n't pay expenses to march an army into Wisconsin. They might not have as good health as the Badgers now enjoy. We don't believe they will come; but if, in their madness, they do come, we think they will be warmly received."

The *Janesville Standard* speaks in a less decided tone:

"An issue between a State and the United States has been made up, and that issue must be met. For this purpose men should prepare themselves, should consider what is their duty in the emergency that it would appear must arise, and determine to do their duty without fear or favour.

"At this day, it would be useless to talk longer about the constitutionality of the law. All men have made their minds up on the subject, and it only remains to act. Whether wisely or not, we have made the issue; and, while we should regret to see State sovereignty destroyed, we believe there are many among the Republicans who will rather submit to the general government, should that government insist, than resist it by force when it puts its law into execution.

"The alternative of using force is not a pleasant one, certainly, but what other mode is left? We can see none. If force is not used on either side, then laws amount to nothing. There is no court of reference, no chance even for arbitration, and we must make up our minds to sustain one side or the other. There is now no version for appeals to feeling; men must determine on which side to act, and be guided by cool reason alone, unless indeed the United States Courts should decide the law to be unconstitutional, which we very much doubt."

Large meetings have been held at Milwaukee and other places in Eastern Wisconsin, to give utterance to the firm resolve of a large portion—we would fain hope a majority—of the people to support the decision of the Supreme Court, and also to raise funds wherewith to defray the expenses of the trials. A Central Finance Committee has been appointed at Milwaukee, of which Gen. Rufus King is Chairman and E. D. Holton Treasurer. This Committee have issued a circular, asking for $2,000 to pay past expenses, and $1,000 for prospective expenses, and inviting the people of the State, and elsewhere, to raise such sums as they are able, without restricting any one as to the amount he or she shall give, and forward to the Committee. If anything remains after defraying expenses, it will be devoted to publishing the proceedings of the Rescue trials, for distribution. All sums may be sent to E. D. Holton, Treasurer.

Theodore Parker in Philadelphia.—The friends of freedom in Philadelphia, we understand, have been on the *qui vive*, in anticipation of a visit from Mr. Parker, the present week. We learn, however, that he has been compelled to defer his visit till some time in March, after his arraignment in the United States District Court, when, if that august tribunal shall leave his right of locomotion unimpaired, they may expect to see him on the rostrum, if not in the pulpit.

William Wells Brown, an Agent of the *American Anti-Slavery Society*, will spend the months of March and April in Central and Southern Ohio. The friends of the Anti-Slavery cause in that general region will doubtless give him a cordial reception, and such aid as his object requires. With regard to the appointment of meetings for him, they will please correspond with Mrs. J. De Graw, Secretary of the Ladies' Anti-Slavery Circle, Cincinnati.

AID AND COMFORT TO THE AMERICAN TRACT SOCIETY.

On the 9th January last, a Convention of the Colporteurs employed by this Society assembled at Rochester. Says a correspondent of one of our religious papers, "On Saturday, the difficult and perplexing question of slavery, that has agitated and rent so many Christian assemblies, was freely and fully discussed, and I can only wish that the North and the South could have seen and heard the discussion and Christian feeling manifested in our midst. The position of our Society on this great question was fully defined, unanimously concurred in, and satisfactorily disposed of."

Unquestionably, this unanimous approval by the Colporteurs of the conduct of their employers was equally satisfactory to themselves and to the Managers. To the first, it assured the continuance of their employment; while, to the latter, it gave a pledge that their travelling agents would continue deaf, and blind, and dumb, in regard to the abominations of American slavery. The action of this Colporteur Convention must have been exceedingly consoling to the Managers, at a time when so many Churches and private Christians are withholding their accustomed contributions. Yet, there is an ominous admission. This slavery question, although unanimously and satisfactorily disposed of by the Colporteurs, is, it seems, "difficult and perplexing." To whom? Not, of course, to the Colporteurs, but to the Managers. It is difficult to prove that to rob the labourer of his hire, to deny him the privilege of marriage, to keep from him the volume of inspiration, to doom him to perpetual ignorance, degradation and penury, and to send his children to the market, is all in full accordance with the precepts and spirit of Christianity. Now, if the Managers would only take courage, and, with certain cotton Divines, insist that American slavery is a holy, righteous and Christian institution, then, indeed, it would be an easy task to show that they cannot and ought not to condemn what they believe to be good and holy. But they shrink, at present, from taking this high ground. Yet, there is no tenable ground between approval and condemnation. Millions of human beings, heirs of immortality, redeemed by the blood of Christ, cannot righteously be reduced to the condition of brutes, but by a divine warrant. Slavery, if not godly, is devilish. Now, here is the difficulty and the perplexity of the Managers. If they say it is godly, they lose the North; if devilish, they lose the South. Hence, they determine to remain dumb; but, alas! reasons must be given for their silence. Two very strange ones have been invented, but so clumsily have they been fabricated that they condemn every tract issued by the Society, except such as are purely doctrinal. The first is, that the Society "should move forward on the simple errand that brought the Saviour into the world—proclaiming Christ and him crucified," &c.* Of course, nothing may be published, not virtually contained in this proclamation; and no denunciation of slavery being, as alleged, found in it, the Society may not utter a syllable either of the comprehensiveness or of the exclusiveness of this proclamation

know of any men of principle who wish to come here, pray send them along, but do not, for God's sake, send out any more *mere lovers of money*.

Yours for the slave, C. STEARNS.

LETTER FROM A. T. FOSS.

LEXINGTON, Lagrange Co., Ind., February 8th, 1855.

EDITORS OF THE STANDARD: Since I wrote you, I have, in company of the Griffings, lectured in the following counties: Wayne, Washtenau, Oakland, Genesee, Chiwassee and Lenawee in Michigan, and have now made a commencement in Lagrange Co., in Indiana.

I will not trouble you with any detailed accounts of these meetings, but will only ask attention to the general condition of the anti-slavery cause in these places. And first, I regret to say, there is far less apparent interest and excitement now than when I first came into the West. Then the fall elections were at the door, and the Fusionists were pregnant with anti-slavery life. They attended our meetings, exerted themselves to get the people out, cheered our most ultra doctrines, solicited us to meet and answer the Nebraskal orators, which we were forward to do; they shouted at our triumphs over these men, not pausing to consider that the defeat of their enemies from our stand-point was equally the overthrow of the doctrines which they taught and upon which they acted. Immediately subsequent to the elections, the excitement remained unabated. The slightest allusion to the discomfiture of the old fogies was cheered with open throat. But, "a change has come over the spirit of their dream." Like the allied army before Sebastopol, they have gone into winter quarters and their batteries are silent. Thus it has ever been with political anti-slavery: it votes, and then, assured of having done its duty, it sinks to repose. Just before the election, when we attacked the Indiania Black Laws, we were assured by the political anti-slavery men, "if we succeed, they will, this winter, be repealed." The same confident tone was kept up after the election. When we expressed unbelief in such a result, we were rebuked, and charged with an uncharitable spirit. Well, the Fusionists have a large majority in the popular branch of the Indiana Legislature, and the session is drawing near its close, and yet no effective effort has been made for the repeal of these odious laws, which would be a disgrace to the most savage people on the earth. Indeed, I am quite sure that no movement has been made in that direction at all. I predict that none will be made. One of the citizens of Indiana has been fined and imprisoned for doing the Christian act of feeding the hungry, and giving good speed to the weary traveller, and yet this *anti-slavery* Legislature are taking no measures to secure the citizens against their persecutors. Alas! when will the people learn that, leaning upon these political parties, they lean upon "a broken staff, which will pierce through their hand." There is much of anti-slavery feeling among the people of the West, but it is wasted in political action. The picture, however, is not all dark; it has a "sunny" as well as a "shady side." A portion of the people listen to our arguments and our denunciations, and are confessing their loss of confidence in all parties and sects whose policy is to compromise truth with error, and the rights of the slave with the despotism of his master. Indeed, I am quite sure that our labours are now even more effective for good than during the feverish excitements immediately connected with the elections.

Our short visit to Chiwasee Co., in Michigan, was very satisfactory. The country is new, and the population as yet, though rapidly increasing, is sparse. They are freer from the trammels of parties and sects than any people I have ever seen, and are ready to hear and embrace the truth. It would be an excellent outlay if an agent of the American Anti-Slavery Society could spend two or three months in that county. There are few ministers there yet to poison the people with a pro-slavery religion. One sensible man remarked that the rats, the crows and the ministers never made their appearance in a new country till the hardy pioneer had provided something for them to eat.

Many of the churches here are much freer from sectarianism, and more imbued with the love of humanity, than in the East. I will give a single instance as illustrative of this fact. Recently, in a town where I was lecturing, I spent nearly the whole of one lecture in examining the relations of the Methodist Episcopal Church to the Slave Power. At the close, I was rebuked, by a prominent member of the Baptist church, because I had passed over their delinquencies so lightly. I, of course, accepted the rebuke, and promised him that, in a future lecture, I would endeavour to do the Baptists exact justice. With this he was well satisfied. Much the largest number, however, of the churches here, as in the East, are wedded to their idols.

From every experience which I have had in the West, I cannot doubt that the motto of the American Anti-Slavery Society, "No Union with Slaveholders," is commending itself to the judgments and consciences of this Western people, and is being by them accepted, as at once the dictate of truth, and consequently of a wise and sound policy.

For God and Humanity, A. T. FOSS.

THE BURNS KIDNAPPER REJECTED.

THE nomination, by the Faculty of Harvard College, of Edward Greely Loring, the kidnapper of Anthony Burns, as Lecturer in the Law School of that Institution, has been rejected in the Board of Overseers by a vote of 20 to 10. The act is but the echo of the Public Opinion of Massachusetts, and we trust it will be followed by the expulsion of the same man from the office of Judge of Probate. We leave the subject, however, in the hands of our Boston Correspondent, only putting on record the vote by which Mr. Loring's aspirations were so ruthlessly blasted in the Board of Overseers. As the vote was by ballot, it is impossible to ascertain with absolute certainty how all the members voted; but the analysis of the Boston *Daily Advertiser* is *probably* accurate.

The following members are believed to have voted in favour of confirming the nomination. Unless they clear themselves by a positive denial, they must be held responsible as the aiders and abettors of kidnapping, and branded accordingly:

Hon. Emory Washburn (ex-Governor),
Hon. John H. Clifford (ex-Governor),
Hon. Abbott Lawrence,
Hon. Robert C. Winthrop,
Hon. Reuben A. Chapman, of Springfield,
Rev. Ezra S. Gannett, D. D.,
Rev. George W. Blagden, D. D.,
Rev. Thomas Worcester,
Rev. James Walker, D. D. (President of the College),
William T. Andrews (Treasurer of the College)—10.

The following members are believed to have voted *nay* (against confirming the nomination):

Hon. Henry J. Gardner (Governor),
Hon. Simon Brown (Lieutenant-Governor),
Hon. Henry W. Benchley (President of the Senate),
Hon. Daniel C. Eddy (Speaker of the House),
Rev. Barnas Sears, D. D. (Secretary of the Board of Education),
Hon. George N. Briggs (ex-Governor),
Hon. George S. Boutwell (ex Governor),
Hon. Samuel Hoar, of Concord,
Hon. Samuel D. Bradford,
Hon. Francis Bassett,
Hon. George Morey,
Hon. Joel Hayden, of Williamsburg,
Hon. Thomas Russell (Judge Boston Police Court),
Hon. Daniel W. Alvord, of Greenfield,
Rev. Hosea Ballou, 2d, D. D.,
Rev. Rodney A. Miller,
Rev. J. H. Twombly,
Rev. Nathaniel Cogswell,
H. B. Wheelwright,
Nathaniel B. Shurtleff—20.

The following members are known to have been *absent*.

Hon. Caleb Cushing,
Rev. Baron Stow, D. D.,
Hon. David Sears,
Hon. Marcus Morton (ex-Governor),
Rev. Samuel M. Worcester, D. D.,
Hon. Julius Rockwell,
Hon. Richard Fletcher—7.

Of the absentees the *Telegraph* expresses the belief that Rev. Baron Stow, Hon. Julius Rockwell, and Judge Fletcher (men of the highest character and respectability) would have voted against the nomination.

From our Boston Correspondent.

NO. CLXIII.

THE ARGUMENT.—Rejection of Edward G. Loring by Overseers of Harvard College—Two to One against him—One reason of it—An argument in his favour—Slaveholding patronage—A suggestion as to a successor—An Anomaly—Judges in their own cases—Proposal to remove Judge Loring from Probate Office—Petitions—His Remonstrance—What it amounts to—Justice to the people—And to Burns—Sympathy for Mr. Loring—The Correspondent thereupon—He guarantees Judge Loring the necessaries of life—Row about Judge Curtis—What it meaneth, probably—The Correspondent examineth the matter and giveth the Judge the best of advice, and asketh nothing for the same, &c. &c. &c.

BOSTON, Feb. 19, 1855.

You have heard, of course, the good news of the rejection of our Burns Commissioner as a Law Lecturer at Cambridge, by the Overseers of Harvard College. It is a morsel one would relish in the imparting almost as much as in the original enjoying of the same; but, then, it is one that hath a permanent and indwelling savour, which will last a lifetime. It is so seldom, in this Rogues' Paradise of ours, that Justice overtakes any of them, excepting of the smallest sort, that a visitation of this kind comes upon one with all the zest of a surprise, as well as of a pleasure. The vote on the Nomination was had last Thursday, and, to the general surprise, Judge Loring was rejected by twenty votes out of thirty. We had supposed, from the best enumeration of noses that we could make, that the Nomination would be non-concurred in; but we had no expectation of its being done by so large a proportion of votes. It is a rebuke to the nominating authorities, and should remind them that they are not quite beyond the reach of Public Opinion, irresponsible and absolute as they consider themselves. The way in which they crammed Professor Bowen down the throat of the people, after the latter had once spewed him out of their mouths, probably encouraged them in this last attempt. But we think they will hardly attempt the sort of thing again. It is the first fruits of the new organization of the Overseers, by which it was taken from the direct control of the dominant party in the Legislature. It is whispered about, indeed, that the Corporation (the seven gentlemen who have the making of nominations) hoped that this one would be rejected when they made it! But it seems hardly probable that this can be so; or, at least, if so, that they should have ever given any intimation of the fact. It is a National characteristic to wish to shift responsibilities upon other people's shoulders, but it is one of which we are not apt to brag.

While this question was pending, as well as since its decision, the pro-slavery newspapers have been rampant and pugnacious. The lamentation that has been made over this martyrdom has been of the most delicious description. One argument, I heard, for I did not see it, in favour of confirming Mr. Loring was, that his name would be an attraction to Slaveholding Law Students, and would put money in the purse of the University! It was even reckoned up, I was told, how many thousand dollars came from that class of students, and, therefore, how desirable it was to have a Professor of Slave-catching on the Staff of the College! Now, it is well known to all who know anything about it that that description of students is the very last the truly intelligent friends of the College desire to have about it. They regard the Southern Students as a curse and a nuisance to the institution, and think that a law excluding all persons born South of Philadelphia from admission would be the best thing possible for the interests of the College. At any rate, this appeal to the sixth sense of the pocket, so strongly developed in the American constitution, was of no avail, and the Corporation will have to try again. They can make another experiment (*in corpore vili*) with the Sims Commissioner, if they please, and see whether he will go down any better than his rival. It would be excellent fun, if they would. By the way, there is one anomalous circumstance about the constitution of the Board of Overseers, which might be amended; and that is, that the President and Treasurer of the College sit *ex officio* in that Board, as well as in the Corporation; so that, in case the other members should be equally divided (certainly, a conceivable case), the scale would be turned by the votes of two gentlemen ratifying their own action in another place. It is as if the same man should have a vote in both Houses of Congress, or in the Lords and Commons. I commend this matter to the consideration of the Legislature. It had better be done as an act of precaution, before any mischief has grown out of it, rather than as one of retribution afterwards.

The question now uppermost in men's minds here is whether the Legislature will follow up this wholesome example and remove Mr. Loring from his office of Probate Judge. Bushels of petitions have been poured in upon the Collective Wisdom, and it is, by all odds, the absorbing question of the Session. Mr. Loring has put in his Remonstrance, which you have copied, and, therefore, know that it rests merely on the technical legality of his procedure as Commissioner. Of course, this has nothing whatever to do with the matter. The provision for the removal of a Judge by Address is intended to meet the very cases in which one deserves removal, for other causes than malversation in office. The ground taken by him and the newspapers that uphold him would entirely do away with that process, as it would establish the point that a Judge can only be removed by Impeachment. But it is obvious that a Judge may be upright enough in his Office as Judge, so as to give no ground for impeachment, and yet commit actions which would render his remaining in it an impossibility. Suppose Mr. Robert Schuyler had been Judge of Probate, and had been as clear as the clearest in his function, would that have saved him from being ejected, in one way or another? And it is not yet clear that he did anything that was strictly illegal. Of course, it is impossible to suppose a case so bad as this one of Judge Loring; but it was to meet just such ones, and those of much less enormity, that this process was provided. The Legislature could do nothing that would give so general a satisfaction as this Removal would. The sense of Justice which was so grossly outraged by the proceedings in the Burns case, from first to last, calls for satisfaction, and it should receive it from the hands of the servants of the public.

It is said that some gentlemen are indisposed to take this step, because it will be taking the bread out of the man's mouth. Such a sympathy is amiable and natural; but it should be controlled by the same considerations of public policy and duty which govern men's conduct towards much lesser criminals. The consequences to a man who steals, or forges, or murders, are things he should have thought about before he committed the crime, and, though they may move the pity of Jury, Judge or Executive, cannot be permitted to interfere with the due course of Justice. If it should be true that the removal of Judge Loring would bring him upon the parish, or leave him starving in the streets, the duty of those who have his case in hand would be the same. They should remember the innocent and helpless man whom this Judge was ready to condemn unheard, and whom he did condemn on evidence on which he would not have convicted a pickpocket, and who is now wearing out his life in a cotton-field or a sugar-house—they should remember *him* and give him the small meed of justice they can yet render him. Poverty and starvation would be no inadequate punishment for this crime. But there is no danger of it. Sympathetic Senators may discharge their souls of all sensibilities of that kind. The same powerful interest which foisted him into this Office, and the one he has lost, will provide for him, should he lose this one, too. It is amply able to do so. There are plenty of places that can be given to him, or made for him. Are there not Agencies of Factories and Treasurerships of Corporations? He will be much better employed in laying in supplies of Cotton and cheapening factory girls than in having the charge of the widows and orphans of Boston, or teaching Law to the acceptation of Slaveholding Students at Cambridge. Let this scruple have no grain of weight. It would not be a hazardous speculation (for a moderate premium) to ensure him, even if he be turned out of this office, a joint of meat, a glass of wine and a clean shirt every day of his natural life.

I did mean to tell you of something else, but this Loring matter has devoured all the rest. The friends of Mr. Justice Curtis (not the Sims Commissioner, but his brother) appear to be in a state of considerable combustion on his account. The *Daily Advertiser* has been out with long communications on the subject, which would seem to show that the Judge or his friends are a little disturbed at the present aspect of affairs, and desirous of backing him up in the scrape he is in about the Faneuil Hall trials. One would judge from the tone of these articles that the Judge, or his friends for him, feels that he had not felt the ground under him sufficiently when he set his foot on that quaking morass. If he has had anything to do with them, I can only say that he has not the cool courage that I had given him credit for. Of what consequence is it what Massachusetts thinks of him? The material thing is to conciliate the confidence of the Slaveholders. *They* are the men that make Chief Justices. We, Abolitionists, will give Judge Curtis a certificate that his conduct has been consistent, ever since he tried to make Masssachusetts a Slave State by the sacrifice of the poor little slave child Med, down to his Charge last June. But it's of no use. Not all his influence, nor yet ours, will ever procure for him that highest seat of the Law. He is too able a man. The Slaveholders would as soon have a Webster for President as a Curtis for Chief Justice. It is reserved for some Frank Pierce of a lawyer, whose insignificance can never give them uneasiness, and will ever secure his subserviency. I advise him to discharge his mind of all notions of the kind. And I ask nothing for my advice. D. T.

THE CUBAN CONSPIRACY.

BY advices received from Cuba, within the last week, it appears that the island is in a state of intense excitement, Gen. Concha, the Governor, having discovered, as he supposed, an extensive conspiracy to take his life and revolutionize the Government. On the 8th inst., Don Romon Pinto, an intimate friend of Gen. Concha's, was arrested, and thirty-five other influential citizens; and on the 9th inst., forty others were arrested. The Governor of Matanzas is also reported to have been arrested; also, Almeda, the rich planter of Trinidad; also, Maiti, of the opera.

A descent of General Quitman upon the island, with a force of eight thousand men, was very much feared. Gen. Concha, having long suspected certain wealthy traders, Spanish subjects, residing in Cuba, of encouraging an attack upon the island, intercepted their letters, and, thus possessed of their secrets, was enabled to act with decision and effect. He made the most vigorous preparation to resist invasion. The ports have been blockaded—all able-bodied citizens are ordered to come forward for enrollment in the militia—more troops have been sent for—British men-of-war are assisting the Captain-General in his efforts to preserve order, and there is a terrible excitement all around.

As to the movements of the Fillibusters in this country, we publish the following extract of a letter from New Orleans to the *Tribune*, dated the 12th inst. The news from Cuba, received in that city at a later date, has probably thrown the conspirators into confusion. Meanwhile, it is said that the Administration at Washington is watching, with a view to counteract, their movements:

"Four thousand men will leave on the first expedition, and reënforcements will, of course, follow. As soon as the news reaches here that a successful landing has been made, thousands will rush to Cuba, and the excitement and enthusiasm will be unbounded. There is no secrecy here respecting the enterprise. It is well known that men have left here for the encampment; and it is also well known that the rendezvous is on a plantation below the city. Young men who have enlisted in the enterprise have had numerous friends to bid farewell to, and, of course, their ambition to let their friends know that they were going to fight has made the whole affair public, and in every place it is talked about. The strangest thing of all is, that the newspapers keep silent. No mention has, as yet, been made of what would be considered of great importance in any other city. I presume there is a disposition on the part of the press to keep dark, and not throw any obstacle in the way of a successful departure. I am satisfied that there will be no difficulty about getting the men off from the Florida Coast; and 20,000 men might leave here without any effort being made to stop them. The feeling here is in favour of the enterprise, and the departure of the men will be amid great rejoicings."

THE KIDNAPPER ARRAIGNED.

THE following telegraphic despatch appeared in the *Tribune* of Wednesday morning. It conveys most cheering intelligence. We hope the result will prove that the write, is not too sanguine in his anticipations.

BOSTON, Tuesday, Feb. 20, 1855.

The first hearing before the Joint Committee of the Legislature, upon the petition of the people, for the removal of Edward G. Loring, from the office of Judge of Probate, took place this afternoon in the hall of the House of Representatives. It was densely packed in every part, and thousands, who desired to hear, could not gain admittance. Arguments were made by Seth Webb, Jr., Wendell Phillips and Chas. W. Ellis. Mr. Phillips spoke about two hours. He said the present Legislature had but two questions to settle. First, can it remove Judge Loring, without impeachment? Second, ought Judge Loring to be removed?

The first proposition may be settled by the Constitution, which provides for the removal of any Judge, at any time, by address to the Executive, without assigning reason, or even permitting the Judge to be heard. To sustain this point he quoted Daniel Webster, Judge Story, Judge Shaw and others.

The second proposition was supported by abundant testimony that Loring violated the State law of 1849, which imposes a penalty of fine and imprisonment upon any Judge of Record, etc., who shall aid in executing the law of 1793; that Loring prejudged in the Burns case, by remarking to Mr. Phillips, before a full hearing was had, that the case was so clear that he hoped no obstacle would be placed in the way of the fugitive's return; that the ignorance of law which he exhibited in that case is proof positive of his unfitness for the office of Judge of Probate; that he wrote a bill of sale of Burns before the case was decided, and finally, that he made known his decision to the counsel for the claimant before delivering it.

It was one of the most logical arguments ever made by Phillips, and created great excitement. The remonstrants did not appear.

Loring will undoubtedly be removed by a large majority in the House, and a small one in the Senate. Petitions continue to pour in.

THE ANTI-SLAVERY LECTURES.

REV. THEODORE PARKER was, as we expected he would be, greeted by a crowded and enthusiastic audience, on Tuesday evening. He spoke for one hour and a half, commanding the fixed attention of his auditors and frequently eliciting their heartiest applause. We shall publish a pretty full report of the Lecture, which was one of the best of the course, next week.

WILLIAM LLOYD GARRISON will deliver the closing Lecture, on Tuesday evening next. Let all who love the cause of which he was the honoured Pioneer, and which has no more earnest and devoted champion, improve the opportunity of hearing him.

A SERIES OF ANTI-SLAVERY CONVENTIONS, in Western Massachusetts, &c., having been projected by the Executive Committee of the *American Anti-Slavery Society*, will be commenced by the holding of such a Convention in SPRINGFIELD, on Saturday and Sunday, March 3d and 4th.

The Springfield Convention will be attended by WILLIAM LLOYD GARRISON, WILLIAM WELLS BROWN and LEWIS FORD, and by other speakers. It will assemble in HAMPDEN HALL, on *Saturday evening*, March 3d, at 7 o'clock.

Other Conventions will follow, at *Northampton*, *Greenfield*, &c., of which more particular notice will be given hereafter.

Our Philadelphia Correspondence.

PHILADELPHIA, Feb. 14th, 1855.

MESSRS. EDITORS: It is doubtless wrong, uncharitable and, *perhaps*, wicked to feel gratification in the downfall of an enemy, provided he be a personal enemy only, but I am not sure that we are required to be quite so lenient towards the enemies of humanity, and therefore feel disposed to exult in the prospect of the Hon. James Cooper being permitted to retire to private life. No party nominated *him* for reëlection to the Senate, and, though the Legislature has failed to elect his successor to-day, and has postponed the further consideration of the subject for two weeks, there is no probability that he will then receive a single vote, however adverse the sentiment of a majority may be to support the prominent nominee, Mr. Simon Cameron. The only occasion on which I heard James Cooper speak was when he was using all his powers of eloquence and persuasion to induce an honest jury to perjure themselves and prove recreant to truth and justice by giving a verdict of *treason* against the persecuted Castner Hanway, and the effect has been to excite so strong a prejudice against the base tool of the Slave Power that if he ever should achieve any meritorious action, I fear I should scarcely give him the due amount of credit therefor. Two days ago, he made a virtue of necessity, and resigned the situation of President of the Sunbury and Erie Railroad Company. Ex-Governor Bigler will be his successor, who, although politically rejected by the people of the State, in consequence of his devotion to *Party* vs. *Liberty*, is yet supposed to be preëminently honest when compared with the late incumbent or presiding genius of the Sunbury and Erie road. To drop into oblivion should now be the ambition of Mr. C., since reform would, in all probability, be viewed with distrust by those who have seen him on his "winding way" for some years past.

The election of Wilson in Massachusetts, Seward in New York, and Trumbull in Illinois, must be "gall and wormwood" to the supporters of the Baltimore Platforms, however short they may fall of the *Standard* measure of Anti-Slavery. The man who could, in the face of that tyrannical oligarchy, the United States Senate, proclaim a "higher law" than the Constitution (deified by slaveholders and doughfaces) is certainly viewed by the supporters of the "peculiar institution" as a sample of highly concentrated Abolitionism, and has had a proportionable amount of hatred and vilification to encounter. May Messrs. Wilson and Trumbull so act in that chamber as to incur an equal amount of denunciation from the *Union-Savers*.

We have had a strange visitor in our city, for several days, *en route* from Cincinnati to Boston, which has created a sensation among our *firemen*, who viewed its advent with no friendly feeling, from an apprehension that its success would cause them to say with Othello—*our* "occupation's gone." The "Steam Fire Engine," after several days' delay, in consequence of the inclemency of the weather, has been tried, and by the "Jakeys" pronounced *a failure*; though those of our citizens who have lost all faith *in* and all respect *for* our present Fire Department feel a perfect confidence that the new "machine" will, ere long, supplant our gaudy articles which are operated by the bone and sinew of *man*-power. Strange, yet true, that every effort made to save manual labour has met with strenuous opposition from those whom it was directly calculated to benefit. How many men have no higher idea than to occupy the position of a working machine, and view with jealousy every application of water, air or steam to accomplish those ends which they have been accustomed to drudge at, as though destined to no more exalted purpose than inert matter, or as competitors with the horse, the ox and the ass as a motive power. To such, slavery may seem only a modified form of their own condition in the animal kingdom, and a great slaveholder be viewed as a grand conservator of the rights of labour, so long as he does not starve his operatives; hence their indifference to any plea made in behalf of the oppressed where the victim is guilty of a skin which, in their estimation, defines his true position in the mechanism of society.

This distinction of complexion is a continual source of offence at home and abroad, for a letter-writer from Cuba is suffering severely from nausea occasioned by the attendance of the Captain-General at a "mulatto ball." He dwells upon the fact, in connection with other "outrages" upon American rights and American sensibilities, with an earnestness which appears to contemplate the equipment of another band of "fillibusters" to capture the island and put an end to the exhibition of such monstrous improprieties. How unfortunate to have nerves so delicately strung. The sight of a woman flogged or a man roasted might be borne, but a "mulatto ball"—never.

We had an election for State Senator, yesterday, to supply the vacancy occasioned by the death of Mr. Foulkrod, and Mr. Pratt, the *American* candidate, was elected, by some 2,300 votes, over J. Murry Rush, the *Democratic* nominee. Both are party men, and humanity had nothing to expect from either, where party said "forbear"; so that I cannot yet discover to what extent Anti-Slavery will be effected by the result; but politicians can no longer shut their eyes nor close their ears sufficiently to prevent the knowledge reaching them that it is no longer an abstraction, but a tangible fact, and, as such, must be treated with respect. They are beginning to discover that "whoever shall fall upon it shall be broken in pieces." And we may, therefore, without giving them credit for much zeal in behalf of human rights, expect to be treated with greater deference by aspirants to office than has been the custom in times past.

An engagement prevented me from hearing the Rev. Mr. Stockton, of Baltimore, who lectured last evening at Spring Garden Institute, and took for his subject "*Liberty*." I felt curious to hear how a learned divine from the State which refuses to accept of the testimony of a coloured man against a white man in its civil and ecclesiastical courts, and which imprisons and sells into slavery coloured persons who venture within its boundaries, would treat the subject of *liberty*. With the case of the Parker girls, and the death of poor Miller—the imprisonment of Charles T. Torrey, till the grave released him from their fiendish grasp—the murder at Columbia by kidnapper Ridgely, and his escape from punishment, together with a thousand other outrages against liberty, both past and present, before him, would Mr. Stockton have the courage to say one word denunciatory of the laws and usages of Maryland whilst professing to lecture upon *liberty* before a Philadelphia audience? From a friend who was present, I learn that he divided his subject into three parts or heads, namely, *spiritual*, *ecclesiastical* and *political*, and spoke fluently and learnedly on each, without making any closer application of either than might be expected from a disquisition on the habitability of the moon, or the practicability of perpetual motion. True, he took issue between Romanism and Protestantism on the question of "ecclesiastical liberty," and denounced the former as tyrannical; and, when treating of "political liberty," the usual compliment was paid to American *freedom*, but not a word said about the "corner-stone of our republican institutions"—*chattel slavery*. It is certainly very possible to deliver a beautiful Lecture without making a single application of the subject or argument that might answer as a stepping stone in the march of humanity. "Shakspeare and the musical glasses" may do to talk about; but where men are called upon to *do*, it requires other themes. If *liberty* be the subject, let it be remembered that, in every country, her strength and security is entirely incompatible with the existence of slavery, whether of caste or complexion, and in no country so much as our own have indefatigable efforts been made to make the latter the paramount interest for Legislative and Executive protection and the object of continual extension and fostering care. When will Congress exhibit as much anxiety to preserve liberty as it has evinced, for many years past, to extend slavery and to give it perpetuity? Not till the PEOPLE *will* it to be done, and make their will respected. NEMO.

ANTI-SLAVERY TRACTS.—Desiring to impress Abolitionists everywhere with a sense of the importance of circulating the Tracts prepared by the American Anti-Slavery Society, we ask all our readers to ponder these striking words of WILLIAM HOWITT:

"Tracts can go everywhere. Tracts know no fear. Tracts never tire. Tracts never die. Tracts can be multiplied without end by the press. Tracts can travel at little expense. They run up and down like the angels of God, blessing all, giving to all, and asking no gift in return. You can print tracts of all sizes, on all subjects, in all places, and at all hours. And they can talk to one as well as to a multitude; and to a multitude as well as to one. They require no public room to tell their story in; they can tell it in the kitchen or the shop, the parlour or the closet—in the railway carriage, or in the omnibus, or the broad highway, or in the footpath through the fields. They take no note of scoffs, or jeers, or taunts. No one can betray them into hasty or random expressions. Though they will not always answer questions, they will tell their story twice or thrice, or four times over, if you wish them. And they can be made to speak on every subject, and on every subject they may be made to speak wisely and well. They can, in short, be made vehicles of all truth; the teachers and reformers of classes; the regenerators and benefactors of all lands."

Tracts, for gratuitous circulation, may be obtained at the Anti-Slavery Offices in New York, Boston and Philadelphia. The Society also needs funds to defray the expense of printing them in still greater abundance. Send in your contributions, if you have money that you can spare; but, at any rate, aid in circulating the Tracts.

LETTER OF ACKNOWLEDGMENT.—The following letter was read, a few days since, in the two Houses of the Legislature:

WASHINGTON, Monday, Feb. 12, 1855.

To the Legislature of the State of New York:

I have the honour to acknowledge the receipt of credentials, showing that I have been chosen by your Honourable body a Senator for the State of New York, in the Congress of the United States, for a term of six years, to commence on the 4th day of March next.

I hope that, in announcing my acceptance of this trust, I may be indulged with leave to say that, while the experience I have had here has not at all diminished my estimate of its magnitude and dignity, nor removed the self-distrust with which I assumed it, yet the generous confidence manifested by my fellow-citizens in commanding me to continue in their service inspires me with new zeal to maintain the rights and interests of my native State in the national Councils, and to commend her enlightened policy and her principles of Constitutional freedom to the favour of the American Union.

With the highest respect, your servant and fellow-citizen, WM. H. SEWARD.

AN ANTI-SLAVERY FAIR is to be held in Manchester, England, in June next, under the auspices of the North of England Anti-Slavery and India Reform League, the proceeds to be applied to increase the efficiency of that Society. The proposition was made at a late meeting of the League by F. W. Chesson, of London, and was received with unanimous favour. A part, at least, of the fund so raised, we presume will be devoted to the Anti-Slavery Cause in this country, but in what particular way we are not informed.

CASTNER HANWAY.—In the United States Senate, on Tuesday, Mr. Cooper presented a petition from Castner Hanway, the Christiana "traitor," asking to be remunerated for the pecuniary losses occasioned by the unrighteous and utterly absurd attempt to convict him of treason for simply refusing to assist a Methodist man-thief in catching his runaway slaves. The present Congress is not likely to give very earnest heed to such a request. That which will assemble in December next will be constituted, to some extent, of better men.

THE PRINCIPAL KIDNAPPER OF SOLOMON NORTHUP was arraigned at Ballston Spa last week. W. A. Beach, C. B. Cochrane, and Wm. Wait appeared for the prisoner, and moved to quash some of the counts in the indictment, alleging that the sale took place in the District of Columbia, and consequently no jurisdiction could be had. After a long argument by Cochrane and Beach for the prisoner, and District Attorney Odell for the people, the Court advised them to go to a full bench on a demurrer to the indictment.

J. E. SNODGRASS, formerly of Baltimore, has been appointed the Vice-President of the Kansas League and American Settlement Co., and is about to make a tour to various parts of the country to present the claims of that Association. Dr. Snodgrass spoke at a meeting of the League on Saturday evening last, and expressed himself very hopefully as to the prospects of freedom in Kansas. We hope events will justify his expectations, though we see but little reason to share them.

Summary.

UNDER THE HAMMER.—The real estate of the late Hon. Daniel Webster, in Marsfield, is to be sold at auction on the 14th of March next.

THE CASE OF DR. BEALE, THE PHILADELPHIA DENTIST.—The Harrisburgh *Herald* says, that Governor Pollock, after a full hearing of the case of Dr. Beale, has positively refused to grant him a pardon.

SCHOLASTICS AND SMOKING.—It is stated as an indisputable fact, that, taking the whole United States together, much more money is expended for the single article of cigars than for all the common schools in the Union.

A GRAPHIC SIMILE.—Henry Ward Beecher says that an honest man inside of a Know-Nothing lodge has "the peculiar advantage that flies have in a spider's web—the privilege of losing their legs, of buzzing without flying, and being eaten at leisure by *big-bellied spiders*."

DAGUERREOTYPES OF WAR.—The art of daguerreotyping has been found practically useful in depicting the events of the war in the East. Each battle-field is instantly impressed in a durable picture. So far has this been carried that all the reports to the Minister of War are accompanied by daguerreotype pictures of the most remarkable beauty and precision.

MAKING LIGHT OF A MINISTER.—As Rufus Choate was cross-questioning a witness in one of the courts, a few days since, he asked him what profession he followed for a livelihood. The witness replied: "I am a candle of the Lord—a minister of the gospel." "Of what denomination?" said Choate. "A Baptist," said the witness. "Then," said Choate, "you are a *dipt*, but I trust not a wick-ed candle."

The *N. Y. Express* says: "If Judge Loring is removed for this cause" (sending Burns back to slavery), "we trust that the President of the United States will avail himself of the earliest opportunity to give him one of the best offices at his disposal. The Federal Government must be thus sustained, when thus assaulted by the States."

PROHIBITIVE LAW STATES.—The following is the list of States that have enacted laws entirely prohibiting the sale of intoxicating drinks for a beverage:

Maine, Michigan,
Massachusetts, Wisconsin,
Rhode Island, Connecticut,
Vermont, Indiana,
Illinois.

OLD FOLKS AT CHURCH.—On Sunday last, says the *Barre Patriot*, Mrs. Mary Farrar, of Petersham, celebrated her *one hundreth birthday*, by attending meeting at the Unitarian Church. She appeared in good health—rose and stood unsupported during the singing, and, after the congregation was dismissed, remained to join in the communion service. In the same slip was her brother, Capt. Joel Brooks, who is in his *ninety-seventh year*. In another part of the house was Mrs. Bethiah Covel, who is in her *ninety-first year*. The thermometer stood, in the morning, only two degrees above zero.—*Mass. Spy*.

ADDRESS OF CASSIUS M. CLAY.—The Penn Yann (Yates Co.) *Whig*, of the 25th inst., says:

"Washington Hall was filled by a very large and intelligent audience, on Friday night last, to listen to the Kentucky Orator, on the subject of Slavery. People from all parts of the country were present. Mr. Clay spoke about one hour and a half, very greatly to the interest and profit of his hearers. He explained, in vivid language, the power of slavery at the South, as a political and social engine of oppression; how it dominates over the liberty of Speech and the Press, and fetters the consciences and principles of men wherever it exists.

"Mr. Clay is a man of pluck and enterprise. He had an appointment to lecture in Elmira on Monday evening; but, on arriving at Canandaigua that day, found that no train on its regular time would carry him to his destination in time to speak that evening. He accordingly hired an extra train and went through in time."

A GOOD SUGGESTION.—The *Providence Journal*, in commenting upon the proposition now before Congress to raise three thousand volunteers to commence a war of extermination upon the Indian tribes, at an expense of millions upon millions of dollars, suggests that a few hundred thousand dollars expended upon blankets, seeds, agricultural implements, and other useful articles, and distributed among the Indians, by honest agents, would accomplish more than millions spent in hostile operations. The *Journal* prefers for this work half a dozen men whom it could select from the Friends' Yearly Meeting, properly supported, to the best army commanded by the best Generals that were ever armed against the poor Indians.

LIFE-SIZE CRYSTALOTYPE OF DR. CHANNING.—Will you allow me to call attention to a head of William Ellery Channing, photographed of life-size by Whipple from Gambardella's portrait, which is now on exhibition for a few days at the store of N. D. Cotton, No. 7 Tremont street? This representation of Dr. Channing is so much more satisfactory than any which has heretofore been presented to the public, that many of his friends will be glad to have it thus brought to their notice. Mr. Whipple is able to furnish copies to those who may desire them.
—*Boston Ch. Register.* WM. F. CHANNING.

MULATTO BOY TURNED OUT OF SCHOOL.—A few days since, Miss Isabella Newhall, a teacher in one of the public schools in Cincinnati, applied to the Board of Education, of that city, soliciting the dismission of one of her pupils, not for improper conduct, nor on account of his inability or unwillingness to receive instruction, but because his skin was darker than that of some of the other scholars. The matter was brought before the Board, and appears to have received considerable discussion in that body; but it was finally decided he must take his walking papers. The vote stood 15 to 10. Upon the announcement of the result, two of the Board resigned, both members from the District in which the sensitive Isabella teaches. The young Miss is said to be a native of the South, which may account for her repugnance to "niggers"—especially *educated* ones.—*Tribune.*

A SINGULAR CHARACTER—HIS BURIAL.—The Auburn *Daily Advertiser* mentions the death, at Weedsport, Cayuga county, on the 25th ult., of one Harmon Weedon, aged 80. He had acquired a handsome competency, and many years ago made all his arrangements for his burial. He constructed for himself a stone coffin of the Cayuga limestone, well finished, the cover setting over the sides on a rabbeted shoulder, and bolted together with six half-inch bolts running through from top to bottom, and secured with counter-sunk nuts. He requested to be buried in that, with "his cloak wrapped around him," and no minister was to be allowed to come near him. His coffin weighed one thousand five hundred pounds, and he gave particular directions how to lower him into the grave. All of his directions were explicitly followed, and, by his direction, the coffin was not only bolted, but cemented together so as to be water-tight.

An intelligent blacksmith in Willimantic, Ct., said, a few days ago: "Before the first of August, men frequently came to my shop, not exactly drunk, but they abounded in silly, foolish talk; some habitually came in the afternoon, and were not sober when they went home. A man who brings charcoal used to go home intoxicated, and sometimes turn his wife and children out of doors. Things are very different now. Men get their work done, behave like men, and go home sober; the charcoal man returns in good season; his wife and children are glad to see him, and have no fears of being turned into the street. They go in for the Maine Law."

TWENTY YEARS MARRIED AND JUST BEGUN TO LIVE.—A woman in Connecticut, whose husband has been reclaimed from drunkenness, through the instrumentality of the Maine law, said to a physician, a short time since, "I have been married twenty years, but it seems as if my husband and I had just begun to live together. Talk about hard times! I never had such easy times! Tea, sugar, flour in abundance, two pigs in the barrel, and twenty-five dollars due my husband when he has finished a job of work. Formerly, when he had butchered his pork, he could do nothing but drink and carouse the remainder of the day. This year, he got up his team and brought home a load of wood!" Is it strange that that woman believed in the virtue of the Maine law?—*Boston Telegraph.*

A very popular preacher in South Carolina, and a Secessionist withal, harangued his hearers on the importance of perseverance and fortitude. He said: "You that is church members must not look back upon Babylon (Sodom), like Paul's wife (Lot's) done. You must be a heap better than the world's people. Religion is like a battle, and Satan are strong. He hates good men, and wants to kill them at wonst. In short, my dearly beloved hearers, you must do like General Washington done at the battle of Waterloo. In the heat of the skirmage, his horse was killed by a British cannon ball. Did Washington give up his sword to the enemy? Not he! He sung at the top of his voice, 'A horse! a horse! my kingdom for a horse!' A horse was brought him by Frank Marion, and he drove the bloody British from the field, and thus secured the liberty of South Carolina."

SENATOR WILSON'S FIRST WORDS IN WASHINGTON.—Some fifteen years ago, a minister settled in a

Miscellaneous Department.

LECTURES ON ENGLISH POETRY.

Before the (Boston) Lowell Institute.

BY JAMES RUSSELL LOWELL.

Reported for The Boston Daily Advertiser.

LECTURE VIII.

BUTLER.

NEITHER the Understanding nor Imagination is sane by itself; the one becomes blank worldliness, the other hypochondria. A very little imagination is able to intoxicate a weak understanding, and this appears to be the condition of religious enthusiasm in vulgar minds. Puritanism, as long as it had a material object to look forward to, was strong and healthy. But Fanaticism is always defeated by success; the moment it is established in the repose of power, it necessarily crystalizes into cant and formalism around any slenderest threads of dogma; and, if the intellectual fermentation continue after the spiritual has ceased, as it constantly does, it is the formation of putrefaction, breeding nothing but the vermin of incoherent and destructively-active metaphysic subtleties—the maggots, as Butler, condensing Lord Bacon, calls them, of corrupted texts. That wise man, Oliver Cromwell, has been reproached for desertion of principle, because he recognised that though enthusiasm may overturn a government, it can never carry one on. Our Puritan ancestors came to the same conclusion, and have been as unwisely blamed for it. While we wonder at the prophetic imagination of those heroic souls who could see in the little Mayflower the seeds of an empire; while we honour (as it can only truly be honoured, by imitating) that fervour of purpose which could give up everything for principle; let us be thankful that they had also that manly English sense which refused to sacrifice *their* principles to the phantasy of every wandering Adoniram or Shearjashub who mistook himself for Providence as naturally and obstinately as some lunatics suppose themselves to be tea-pots.

The imaginative side of Puritanism found its poetical expression in Milton and its prose in Bunyan. The intellectual vagaries of its decline were to have their satirist in Butler. He was born at Strensham in Worcestershire in 1612, the son of a small farmer who was obliged to pinch himself to afford his son a grammar school education. It is more than doubtful whether he were ever at any university at all. His first employment was as clerk in Mr. Jeffreys, a Worcestershire Justice of the Peace, called by the poet's biographers an eminent one. While in this situation, he employed his leisure in study, and in cultivating music and painting, for both which arts he had a predilection. He next went into the family of the Countess of Kent, where he had the use of a fine library, and where he acted as amanuensis to John Selden, the mere drippings of whose learning was enough to make a great scholar of him. After this he was employed (in what capacity is unknown) in the house of Sir Samuel Luke, an officer of Cromwell, and rigid Presbyterian. It was here that he made his studies for the characters of Sir Hudibras and his squire, Ralpho, and is supposed to have begun the composition of his great work. There is hardly anything more comic in Hudibras itself than the solemn Country Knight unconsciously furnishing clothes from his own wardrobe, and a rope of his own twisting to hang himself in eternal effigy with. Butler has been charged with ingratitude for having caricatured his employer; but there is no hint of any obligation he was under, and the service of a man like him must have been a fair equivalent for any wages.

On the other hand, it has been asserted that Butler did not mean Sir Samuel Luke at all, but a certain Sir Henry Rosewell, or a certain Colonel Rolle, both Devonshire men. And in confirmation of it, we are told that Sir Hugh De Bras was the tutelary saint of Devonshire. Butler, however, did not have so far to go for a name, but borrowed it of Spenser. He himself is the authority for the "conjecture," as it is called, that his hero and Sir Samuel Luke were identical. At the end of the first canto of part first of Hudibras occurs a couplet of which the last part of the second verse is left blank. This couplet, for want of attention to the accent, has been taken to be in ten syllable measure, and therefore an exception to the rest of the poem. But it is only where we read it as a verse of four feet that the inevitable rhyme become perfectly Hudibrastic. The knight himself is the speaker:

> 'Tis sung there is a valiant Mameluke
> In foreign lands yclept [Sir Sam Luke],
> [illegible] have been oft compared
> For person, parts, address and beard.

Butler died poor, but not in want, on the 25th September, 1680, in his sixty-eighth year.

Butler's poem is commonly considered the type of the burlesque—that is, as the representative of the gravely ludicrous, which seems to occupy a kind of neutral ground between the witty and the humourous. But this is true of the form rather than the matter of the poem. Burlesque appears to be wit infused with animal spirits—satire, for the mere fun of the thing, without any suggestion of intellectual disapproval or moral indignation. True wit is a kind of instantaneous logic which gives us the *quod erat demonstrandum* without the intermediate steps of the syllogism. Coleridge, with admirable acuteness, has said that "there is such a thing as scientific wit." Therefore pure wit sometimes gives an intellectual pleasure without making us laugh. The wit that makes us laugh most freely is that which instantly accepts another man's premises, and draws a conclusion from them in its own favour. A country gentleman was once showing his improvements to the Prince de Ligne, and among other things, pointed out to him a muddy spot which he called his lake. "It is rather shallow, is it not?" said the Prince. "I assure you, Prince, a man drowned himself in it." "Ah, he must have been a flatterer, then," answered De Ligne. Of the same kind is the story told of one of our old Massachusetts clergymen, Dr. Morse. At an association dinner, a debate arose as to the benefit of whipping, in bringing up children. The Doctor took the affirmative, and his chief opponent was a young minister whose reputation for veracity was not very high. He affirmed that parents often did harm to their children by unjust punishment from not knowing the facts of the case. "Why," said he, "the only time my father ever whipped me was for telling the truth." "Well," retorted the Doctor, "it cured you of it, did'nt it?" In wit of this sort there is always a latent syllogism.

Then there is the wit which detects an unintentional bit of satire in a word of double meaning; as where Sir Henry Wotton takes advantage of the phrase commonly used in his day to imply merely residence, and finds an underneaning in it—saying "that ambassadors were persons sent to *lie* abroad for the service of their Prince."

On the other hand, I think unconsciousness and want of intention, or at least the pretence of it, is more or less essential to the ludicrous. For this reason what may be called the wit of events is always ludicrous. Nothing can be more so, for example, that the Pope's sending a Cardinal's hat to John Fisher, Bishop of Rochester, when arrived in England after Henry the Eighth had taken off that prelate's head. So when Dr. Johnson said very gravely, one day, that he had *often thought* that if he had a harem he would dress all the ladies in white linen—the unintentional incongruity of the speech with the character of the great moralist threw Boswell into an ecstacy of laughter. Like this is the ludicrousness of Pope Paul III., writing to the Council of Trent, "that they should begin with original sin, observing yet a due respect unto the Emperor."

Captain Basil Hall, when he travelled in this country, found the Yankees a people entirely destitute of wit and humour. Perhaps our gravity, which ought to have put him on the right scent, deceived him. I do not know a more perfect example of wit than something, which, as I have heard, was said to the captain himself. Stopping at a village inn there came up a thunder-storm, and Captain Hall surprised that a new country should have reached such perfection in these meteorologic manufactures, said to a bystander, "Why, you have very heavy thunder here." "Well, yes," replied the man, "we *du*, considerin' the number of inhabitants." Here is another story which a stage driver told me once: A wag on the outside of the coach called to a man by the roadside who was fencing some very poor land—"I say, mister, what are you fencing that pasture for? It would take forty acres on't to starve a middle sized cow." "Jesso; and I'm fencin' of it to keep cour kettle cout?"

Now in the "forty acre" part of this story, we have an instance of what is called American exaggeration, and which I take to be the symptom of most promise in Yankee fun. For it marks that desire for intensity of expression which is one phase of imagination. Indeed, many of these sayings are purely imaginative—as where a man said of a painter he knew, that "he painted a shingle so exactly like marble that when it fell into the river it sunk." A man told me once that the people of a certain country town were so universally dishonest "that they had to take in their stone walls at night." In some of these stories, imagination appears yet more strongly and in that contradictory union with the understanding which lies at the root of the highest humour. For example, a coachman driving up some mountains in Vermont, was asked if they were as steep on the other side also? "Steep! chain-lightnin' couldn't go down 'em without the breechin' on!" I believe that there is more latent humour among the American people than in any other, and that it will one day develop itself and find expression through Art.

If we apply the definitions we have made to Butler's poem we shall find that it is not properly humorous at all; that the nearest approach to the humourous is burlesque. Irony is Butler's favourite weapon. But he always has an ulterior object. His characters do not live at all, but are only caricatured effigies of political enemies stuffed with bran and set up as targets for his wit. He never lets us forget for a moment that Presbyterian and Independent are primarily knaves and secondarily men. The personality never by accident expands into humanity. There is not a trace of imagination or sympathy in his poem. It is pure satire, and intellectual satire only. There is much creativeness in Trumbull's McFingal or Fessenden's Terrible Tractoratión as in Hudibras. Butler never works from within, but stands as a spectator covering his victims with merciless ridicule, and we enjoy the fun because his figures are as mere nobodies as Punch and Judy, whose misfortunes are meant to amuse us, and whose unreality is part of the sport. The characters of truly humourous writers are as real to us as any of our acquaintances. We no more doubt the existence of the wife of Bath, of Don Quixote and Sancho, of Falstaff, Sir Roger de Coverley, Parson Adams, the Vicar, Uncle Toby, Pickwick or Major Pendennis, than we can doubt our own. They are the contemporaries of every generation forever. They are our immortal friends whose epitaph no man shall ever write. The only incantation needed to summon them is the taking of a book from our shelf, and they are with us with their wisdom, their wit, their courtesy, their humanity and (dearer than all) their weaknesses.

But the figures of Butler are wholly contemporaneous with himself. They are dead things nailed to his age, like hands or crows upon a barn door, for an immediate *in terrorem* purpose, to waste and blow away with time and weather. The Guy Fawkes of a Fifth of November procession has as much manhood in it.

Butler, then, is a wit—in the strictest sense of the word, with only such far-off hints at humour as lie in a sense of the odd, the droll, or the ludicrous. But in wit he is supreme. Hudibras is as full of point as a paper of pins; it sparkles like a phosphorescent sea, every separate drop of which contains half-a-dozen little fiery lives. Indeed, the fault of the poem (if it can be called a fault) is that it has too much wit to be easy reading.

Butler had been a great reader, and, out of the dryest books, of school-divinity, Puritan theology, metaphysics, medicine, astrology, mathematics, no matter what, his brain secreted wit as naturally as a field of corn will get so much silex out of a soil as would make flints for a whole arsenal of old fashioned muskets, where even Prometheus himself could not have found enough to strike a light with. I do sincerely believe that he would have found fun in a joke of Senator ———, well, any Senator, and that is saying a great deal. I speak, of course, of Senators at Washington.

[Mr. Lowell illustrated his criticisms by copious quotations from Hudibras. He concluded thus:]

It would not be just to leave Butler without adding that he was an honest and apparently disinterested man. He wrote an indignant satire against the vices of Charles the Second's Court. Andrew Marvel, the friend of Milton, and the pattern of inoorruptible Republicanism, himself a finer poet and almost as great a wit as Butler, while he speaks contemptuously of the controversialists and satirists of his day, makes a special exception of Hudibras. I can fancy John Bunyan enjoying it furtively, and Milton, if he had had such a thing as fun in him would have laughed over it.

Many greater men and greater poets have left a less valuable legacy to their countrymen than Butler, who has made them the heirs of a perpetual fund of good humour, which is more nearly allied to good morals than most people suspect.

LECTURE IX.

POPE.

There is nothing more curious, whether in the history of individual men or of nations, than the reactions which occur at more or less frequent intervals.

The human mind, both in persons and societies, is like a pendulum, which, the moment it has reached the limit of its swing in one direction, goes inevitably back as far on the other side, and so on forever.

These reactions occur in everything, from the highest to the lowest, from religion to fashions of dress. The close crop and sober doublet of the Puritan were followed by the laces and periwigs of Charles the Second. The scarlet coats of our grandfathers have been displaced by as general a blackness as if the world had all gone into mourning. Tight sleeves alternate with loose, and the full-sailed expanses of Navarino have shrunk to those close-reefed phenomena, which, like Milton's Demagorgon, are the *name* of bonnet without its appearance.

English Literature, for half a century from the Restoration, showed the marks both of reaction and of a kind of artistic vassalage to France. From the compulsory saintship and short hair of the Roundheads, the world rushed eagerly towards a little wickedness and a wilderness of wig. Charles the Second brought back with him French manners, French morals and French taste. The fondness of the English for foreign fashions had long been noted. It was a favourite butt of the satirists of Elizabeth's day. Everybody remembers what Portia says of the English lord: "how oddly is he suited! I think he bought his doublet in Italy, his round hose in France, his bonnet in Germany, and his behaviour everywhere."

Dryden is the first eminent English poet whose works show the marks of French influence, and a decline from the artistic towards the artificial, from nature towards fashion. Dryden had known Milton, had visited the grand old man probably in that "small chamber hung with rusty green," where he is described as "sitting in an elbow chair, dressed neatly in black, pale but not cadaverous," or had found him as he used "to sit in a gray coarse cloth coat, at the door of his house near Bunhill Fields, in warm sunny weather, to enjoy the fresh air." Dryden undertook to put the Paradise Lost into rhyme, and on Milton's leave being asked, he said, rather contemptuously, "Ay, he may *tag* my verses, if he will." He also said that Dryden was a good rhymist, but no poet." Dryden turned the great epic into a drama called "The State of Innocence," and intended for representation on the stage. Sir Walter Scott dryly remarks that the *costume* of our first parents made it rather an awkward thing to bring them before the foot-lights. It is an illustration of the character of the times that Dryden makes Eve the mouthpiece of something very like obscenity. Of the taste shown by such a travesty nothing need be said.

In the poems of Dryden nothing is more striking than the alternations between natural vigour and warmth of temperament, and the merest commonplaces of diction. His strength lay chiefly in the understanding, and for weight of sterling sense and masculine English, and force of argument, I know nothing better than his prose. His mind was a fervid one, and I think that in his verse he sometimes mistook metrical enthusiasm for poetry. In his poems we find wit, fancy, an amplitude of nature, a rapid and graphic statement of the external and antitheses of character, and a dignified fluency of verse rising sometimes to majesty—but not much imagination in the high poetic meaning of the term.

I have only spoken of his poems at all, because they stand midway between the old era, which died with Milton and Sir Thomas Browne, and the new one which was just beginning. In the sixty years extending from 1660 to 1720, more French was imported into the language than at any other time since the Norman conquest. What is of greater importance, it was French ideas and sentiments that were coming in now, and which shaped the spirit, and through that the form of our literature.

The condition of the English mind at the beginning of the last century was one particularly fitted to be magnetised from across the channel. The loyalty of everybody, both in politics and religion, had been dislocated. A generation of materialists was to balance the over-spiritualism of the Puritans. The other world had had its turn long enough, and now *this* world was to have its chance. There seems to have been a universal scepticism, and in its most dangerous form, that is, united with a universal pretence of conformity. There was an unbelief that did not believe even in itself. Dean Swift, who looked forward to a Bishopric, could write a book, whose moral, if it had any, was that one religion was about as good as another, and accepted a cure of souls when it was doubtful if he thought men had any souls to be saved, or at any rate, that they were worth saving if they had. The answer which Pulci's Margutte makes to Morgante when he asks him if he believed in Christ or Mahomet, would have expressed well enough the creed of the majority of that generation.

> Margutte answered then, to tell thee truly,
> My faith in black's no greater than in azure;
> But I believe in capons, roast meat, bouilli,
> And above all in wine: and carnal pleasure.

It was impossible that anything truly great, great I mean on the moral and emotional, as well as the intellectual sides, could be produced in such a generation. But something intellectually great could be and was. The French mind, always stronger in the perceptive and analytic, than in the imaginative faculty, loving precision, grace, and finesse, had brought wit and fancy, and the elegant arts of society to the perfection almost of science. Its ideal in literature was to combine the appearance of carelessness and gaiety of thought with intellectual exactness of statement. Its influence then in English literature will appear chiefly in neatness and facility of expression, in point of epigrammatic compactness of phrase, and these in conveying convential rather than universal experience, in speaking for good society rather than for man.

Thus far in English poetry we have found life represented by Chaucer, the real life of men and women; the ideal or interior life as it relates to this world, by Spenser; what may be called imaginative life in Shakspeare; the religious sentiment or interior life as it relates to the other world, by Milton. But everything aspires toward a rhythmical utterance of itself, and accordingly the intellect and life, as it relates to what we call the world, were waiting for their poet. They found or made a most apt one in Alexander Pope.

He stands for perfectness of intellectual expression, and it is a striking instance how much success and permanence of reputation depend upon conscientious and laborious finish, as well as upon natural endowments.

I confess that I come to the treatment of Pope with diffidence. I was brought up in the old superstition that he was the greatest poet that ever lived, and when I came to find that I had instincts of my own, and my mind was brought in contact with the apostles of a more esoteric doctrine of poetry, I felt that ardent desire for smashing the idols I had been brought up to worship, without any regard to their artistic beauty, which characterizes youthful zeal. What was it to me that Pope was a master of style? I felt, as Addison says in his Freeholder, in answering an argument in favour of the Pretender, because he could speak English, and George I. could not—"that I did not wish to be tyrannized over in the best English that ever was spoken." There was a time when I could not read Pope, but disliked him by instinct, as old Roger Ascham seems to have felt about Italy when he says: "I was once in Italy myself, but I thank God my abode there was only nine days."

But Pope fills a very important place in the History of English Poetry, and must be studied by every one who would come to a clear knowledge of it. I have since read over every line that Pope ever wrote, and every letter written by or to him, and that more than once. If I had not come to the conclusion that he is the greatest of poets, I believe that I am at least in a condition to allow him every merit that is fairly his. I have said that Pope as a literary man represents precision and grace of expression; but as a fact he represents something more, nothing less, namely, than one of those external controversies of taste which will last as long as the Imagination and Understanding divide men between them. It is not a matter to be settled by any amount of argument or demonstration. Men are born Popists or Wordsworthians, Lockists or Kantists, and there is nothing more to be said of the matter. We do not hear that the green spectacles persuaded the horse into thinking that shavings were grass.

That reader is happiest whose mind is broad enough to enjoy the natural school for its nature, and the artificial for its artificiality, provided they be only good of their kind. At any rate we must allow that the man who can produce one perfect work is either a great genius or a very lucky one. As far as we who read are concerned, it is of secondary importance which. And Pope has done this in the Rape of the Lock. For wit, fancy, invention and keeping, it has never been surpassed. I do not say there is in it poetry of the highest order, or that Pope is a poet whom any one would choose as the companion of his best hours. There is no inspiration in it, no trumpet-call, but for pure entertainment it is unmatched.

The very earliest of Pope's productions give indications of that sense and discretion as well as wit, which afterwards so eminently distinguished him. The facility of expression is remarkable, and we find also that perfect balance of metre, which he afterwards carried so far as to be wearisome. His Pastorals were written in his sixteenth year, and their publication immediately brought him into notice. The following four verses from the First Pastoral are quite characteristic in their antithetic balance:

> You, that too wise for pride, too good for power,
> Enjoy the glory to be great no more,
> And carrying with you all the world can boast,
> To all the world illustriously are lost.

The sentiment is affected and reminds one of that future period of Pope's correspondence with his friends, where Swift, his heart corroding with disappointed ambition at Dublin, Bollingbroke raising delusive turnips at his farm, and Pope pretending to disregard the lampoons which embittered his life, played together the solemn farce of affecting to despise the world which it would have agonized them to be forgotten by.

In Pope's next poem, the Essay on Criticism, the wit and poet become apparent. It is full of clear thoughts compactly expressed. In this poem, written when Pope was only twenty-one, occur some of those lines which have become proverbial, such as:

> A little learning is a dangerous thing;
> For fools rush in where angels fear to tread;
> True Wit is Nature to advantage dressed,
> What oft was thought, but ne'er so well expressed;
> For each ill author is as bad a friend.

In all of these we notice that terseness in which (regard being had to his especial range of thought) Pope has never been equalled. One cannot help being struck also with the singular *discretion* which the poem gives evidence of. I do not know where to look for another author in whom it appeared so early, and considering the vivacity of his mind and the constantly besetting temptation of his wit, it is still more wonderful. In his boyish correspondence with poor old Wycherly, one would suppose him to be a man, and Wycherly the youth. Pope's understanding was no less vigorous than his fancy was lightsome and sprightly.

I come now to what in itself would be enough to have immortalized him as a poet, the Rape of the Lock, in which, indeed, he appears more purely as poet than in any other of his productions. Elsewhere he has shown more force, more wit, more reach of thought, but nowhere such a truly artistic combination of eloquence and fancy. His genius has here found its true direction, and the very same artificiality which in his pastorals was unpleasing, heightens the effect and adds to the general keeping. As truly as Shakspeare is the poet of Man, as God made him, dealing with great passions and innate motives, so truly is Pope the poet of society, the delineator of manners, the exposer of those motives which may be called acquired, whose spring is in institutions and habits of purely worldly origin.

The whole poem more truly deserves the name of a creation than anything Pope ever wrote. The action is confined to a world of his own, the supernatural agency is wholly of his own contrivance, and nothing is allowed to overstep the limitations of the subject. It ranks by itself as one of the purest works of human fancy. Whether that fancy be purely poetical or not is another matter. The perfection of form in the Rape of the Lock is to me conclusive evidence that in it the natural genius of Pope found fuller and freer expression than in any other of his poems. The others are aggregates of brilliant passages rather than harmonious wholes.

[Mr. Lowell gave a detailed analysis of the poem with extracts of some length.]

The Essay on Man has been praised and admired by men of the most opposite beliefs, and men of no belief at all. Bishops and free-thinkers have met here on a common ground of sympathetic approval. And, indeed, there is no particular faith in it. It is a droll medley of inconsistent opinions. It proves only two things beyond a question; that Pope was not a great thinker; and that wherever he found a thought, no matter what, he would express it so tersely, so clearly, and with such smoothness of versification, as to give it an everlasting currency. Hobbes's unwieldy Leviathan left stranded there on the shore of the last age, and nauseous with the stench of its selfishness—from this Pope distilled a fragrant oil with which to fill the brilliant lamps of his philosophy, lamps like those in the tombs of alchemists, that go out the moment the healthy air is let in upon them. The only positive doctrine in the poem is the selfishness of Hobbes set to music, and the pantheism of Spinoza brought down from mysticism to common-place. Nothing can be more absurd than many of the dogmas taught in the Essay on Man.

The accuracy on which Pope prided himself and for which he is commended, was not accuracy of thought so much as of expression. But the supposition is, that in the Essay on Man, Pope did not know what he was writing himself. He was only the condenser and epigramatiser of Bolingbroke—a very fitting St. John for such a gospel. Or, if he *did* know, we can account for the contradictions by supposing that he threw in some of the common-place moralities to conceal his real drift. Johnson asserts that Bolingbroke in private laughed at Pope's having been made the mouth-piece of opinions which he did not hold. But this is hardly probable when we consider the relations between them. It is giving Pope altogether too little credit for intelligence to suppose that he did not understand the principles of his intimate friend.

Dr. Warburton makes a rather lame attempt to ward off the charge of Spinozism from the Essay on Man. He would have found it harder to show that the acknowledgment of any divine revelation would not overthrow the greater part of its teachings. If Pope intended by his poem all that the Bishop takes for granted in his commentary, we must deny him what is usually claimed as his first merit—clearness. If he did *not*, we grant him clearness as a writer, at the expense of sincerity as a man. Perhaps a more charitable solution of the difficulty is, that Pope's precision of thought was not equal to his polish of style.

But it is in his Moral Essays and part of his satires that Pope deserves the praise which he himself desired—

> Happily to steer
> From grave to gay, from lively to severe.
> Correct with spirit, eloquent with ease,
> Intent to reason, or polite to please.

Here Pope must be allowed to have established a style of his own, in which he is without a rival. One can open upon wit and epigram at every page.

In his epistle on the characters of woman, no one who has ever known a noble woman will find much to please him. The climax of his praise rather degenerates than elevates.

> O blest in temper, whose unclouded ray
> Can make to-morrow cheerful as to-day,
> She who can love a sister's charms, or hear
> Sighs for a daughter with unwounded ear,
> She who ne'er answers till a husband cools,
> Or, if she rules him, never shows she rules,
> Charms by accepting, by submitting sways,
> Yet has her humour most when she obeys;
> Lets fops or fortune fly which way they will,
> Disdains all loss of tickets or codille,
> Spleen, vapours, or small-pox, above them all;
> And mistress of herself, though china fall.

The last line is very witty and pointed—but consider what an ideal of womanly nobleness he must have had, who praises his heroine for not being jealous of her daughter.

It is very possible that the women of Pope's time were as bad as they could be, but if God made poets for anything, it was to keep alive the traditions of the pure, the holy and the beautiful. I grant the influence of the age, but there is a sense in which the poet is of no age, and Beauty, driven from every other home, will never be an outcast and a wanderer while there is a poet's nature left, will never fail of the tribute at least of a song. It seems to me that Pope had a sense of the nice, rather than of the beautiful. His nature delighted in the blemish more than in the charm.

Personally, we know more about Pope than about any of our poets. He kept no secret about himself. If he did not let the cat out of the bag, he always contrived to give her tail a pinch so that we might know she was there. In spite of the savageness of his satires, his disposition seems to have been a truly amiable, and his character as an author was as purely fictitious as his style. I think there was very little real malice in him.

A great deal must be allowed to Pope, for the age in which he lived, and not a little, I think, for the influence of Swift. In his own province he still stands unapproachably alone. If to be the greatest satirist of individual men rather than of human nature, if to be the highest expression which the life of court and the ball-room has ever found in verse, if to have added more phrases to our language than any other but Shakspeare, if to have charmed four generations, makes a man a great poet, then he is one. He was the chief founder of an artificial style of writing which in his hand was living and powerful, because he used it to express artificial modes of thinking, and an artificial state of society. Measured by any high standard of imagination, he will be found wanting; tried by any test of wit, he is unrivalled.

To what fatuities his theory of correctness led in the next generation, when practised upon by men who had not his genius, I shall endeavour to show in my next lecture.

A LETTER FROM MRS. STOWE.

BOSTON, February 2, 1855.

To the Editor of the National Era:

OUR old city is unusually animated this winter. Generally so respectably stupid and sleepy, it has this winter started into an unwonted life. Lectures abound, and are crowded, and the opera is said never to have drawn such full and brilliant houses.

The course of Anti-Slavery lectures in the Tremont temple have been wonderfully successful. Tickets have been sold at a premium, and the hall, which seats about three thousand, has generally been as full as it could be packed.

It is a noticeable thing about these lectures, that all the more decided, fearless and outspoken expressions of feeling, such as once were called ultra, have been listened to with the greatest enthusiasm. Never, since Kossuth was in Boston, have we seen a whole house surging with a greater enthusiasm than during some of these lectures. The lecturers do not so much seem to *produce* feeling, as to develop that which exists. On this subject the whole air seems to be charged with electricity, and a speaker seems to be only the conductor through whom it flashes into expression.

It is a remarkable and most noticeable fact, that Wendell Phillips, who in other days was considered almost as beneath attention, as a disorganizer and a madman, has drawn one of the largest and most enthusiastic houses of any this winter; and that, though the object of his lecture was to prove the absolute necessity of the dissolution of the Union, he was heard throughout without the slightest intimation of disapprobation, in the most solemn and attentive silence. The papers endeavour to account for this fact, by attributing to Mr. Phillips an almost fabulous mastery of the magical arts of oratory. As in the time of Luther, the Romish tractarians sought to cover up the mighty fact that of the aroused movement of society by ascribing to Luther superhuman gifts of person, intellect, voice and manner; so now, many seek to blind themselves to the great change in the community, by attributing it to the oratorical power of an individual. They forget the days when the same dazzling, smooth and polished eloquence spent its lightnings almost wholly in vain, and that such an audience would once have received such a communication as the Jews did of old, by crying out and stopping their ears. The *fact*, which newspaper writers ignore, is, that the tide is rising—slowly, surely and with resistless regularity. Every year lifts it higher. What once was called ultraism, is now calm, universal belief; and the last and ultimate extreme of the most uncompromising Abolitionists is now looked in the face with a serious scrutiny. It is true that the Northern public have not, as a mass, brought themselves to wish the dissolution of the Union; but they have come to that point in which they are willing to sit still, and give calm attention to the discussion of that subject. The fact that this subject was carefully considered, in a long and elaborate series of articles in the *Tribune*, last season, and that Wendell Phillips has met with such decided acceptance in presenting it before public audiences this winter, are signs of deep significance. Those who have used the cry of dissolution of the Union as a threat to frighten unruly children, may one day find the same threat turned round upon themselves, in a form which has an earnest meaning. It may be their turn to make concessions to prevent it.

The culminating point of the changed public feeling in Massachusetts, this winter, has been shown by the election of Wilson to the United States Senate. This is the flash of the long-gathering cloud, the high-water mark of the fast-rising tide.

No appointment could have been more distasteful to that aristocracy which has so long ruled Boston. To step from attic Everett, whose lips were "dewy with the Greek of Plato," to Henry Wilson, from the shoemaker's bench at Natick, seems truly a nine days' fall, and, accordingly, "confounded Chaos roars."

But what has done it? *Who* have done it? They who outraged manhood and womanhood, and human nature, in the late atrocious slave captures. They have elected Wilson. They "the precious diamond stole" from the head of old Boston, that they might "put it in their pocket!" They shamed her in her own sight, in the sight of all her sons and daughters; and the deep, hot heart of the people has never forgotten the insult, and this election is the result.

A business man of Boston, who has hitherto had large Southern dealings, said to us, not long ago, in tones of suppressed feeling, "I was barred from my store by soldiers in Boston streets, that that man might be carried back. I never have forgotten it. *I never will.* My partner and I have made up our minds. We have looked over our Southern lists, and, if necessary, are ready to lose them all; but *our* stand is taken."

Such has been the deep resolves of many a heart; and so deep is that ground-swell of the State feeling, that Henry Wilson was borne upon it, against the will of the party that elected him, because that party knew the State would support them on no other terms. The stern voice of the people was at their doors: "Elect this man, or your party is a cobweb before us"; and they did it. We have faith that Henry Wilson will prove that the people were right. The country sometimes comes to a strait, when she must put by a scholar, and take a *man*; and Wilson *is* a man. Let anybody read one of his terse, nervous sentences, or hear one of his speeches, and then, if any one says, jeeringly, "That man rose from a shoemaker's bench," he will answer, "Let him be proud of it. Other men are made by colleges and schools. This man made himself. And let scholars console themselves with classical precedent of men of low degree exalted, and remember plain old Goodman Cincinnatus, called from his plough to the Consulate, and be comforted. Other folks, it seems, have done so before us; and that is something, in this precedent-loving world. To be sure, there has been one of the leather craft in Congress—stout old Roger Sherman—who learned to hammer out soles on his lap-stone before he tried his hand at hammering the Constitution. Old Roger, however, compromised with slavery, which Henry Wilson will not. His vote and his speech will always be in the right place; and we predict that even his classical compatriot, Sumner, will not merit better of the Republic than he."

One of the principal sensations of Boston this winter has been caused by the course of Lectures on Poetry, delivered by Russell Lowell, before the Lowell Institute.

Such a rush has there been to them, that it has been entirely impossible to accommodate all who sought admission; and Mr. Lowell has repeated them afternoons to equally thronged houses. The course is upon English Poetry, and comprises a history of English Poetry and Poets from the earliest times.

Every lecture has been a brilliant success—even, as reported in the daily papers, are often more truly poetical than the poems he reviews. These lectures, so full of thought, research, wit, humour, and feeling, are destined to make their mark in our literary history. Yet we trust the author will not forget, in the brilliance of his success, that it is the poet's first work to create, not to analyze.

Let him give more works for future historians to record. The brilliance of Lowell's wit has so dazzled the eyes of many, that they have not till recently appreciated the wide scope, the deep feeling, the exquisite word painting, the true appreciation of nature, in his serious pieces. There is a spirit and sprightliness about his most careless sketch that shows the hand of a master. To those who have delighted in him merely as the gay and entertaining companion, we would recommend a study of his Vision of Sir Launfal, or Beaver Brook, or almost any of the fugitive pieces in his two volumes of Poems, and they will find him rising before their mind in a new attitude.

Can America have and cherish poets? Certainly. Does she not? Is our hot, busy, talky, news-mongering age favourable to the poet? For one reason, it is particularly so. The sensitive heart is *wearied* and overworn with this bustling materiality, and longs for a contrast—for the unreal, the dreamy. In this reactive mood of our over-driven society lies the poet's hope and sphere. We long for him, just as city people long for green trees and quiet streams; and year by year his sway over us will increase. Witness the success of Whittier's last beautiful idyl, Maud Muller, which has found its way, like a flash, from the *Era* into newspapers and magazines through the country. We have met it in the parlour and the kitchen, everywhere a favourite. Pray ask him for another!

Since poetry is eternal, and the need of it constant, the Poet can never cease out of our land.

H. B. S.

Gleanings from Foreign Publications.

The Shakspeare and Garrick goblet, made from the memorable mulberry-tree that grew in Shakspeares garden at Stratford-on-Avon, was sold last week at Sotheby and Wilkinson's, for £32. Garrick drank out of it at the Stratford jubilee.

——There has very recently been found at the shop of a pork-butcher, in London, a considerable portion of a very fine copy of the first edition of Aristotle's works, printed by Aldus, at Venice, in 1497, and also fragments of other works of less rarity, but still of considerable value.

——Upon the authority of a report of a committee of the House of Commons, published some time since, when the consumption of tea did not reach anything like its present amount, it is stated that of the tea annually sold in this country, an amount varying *from four to six millions of pounds, is nothing more than a mixture of sloe and ash leaves.* The manufacture has not diminished with the lapse of time, but is pursued at present with as much secrecy and success as ever.

——LECTURES BY MISS MARTINEAU.—Miss Harriet Martineau, the distinguished authoress, with a desire to instruct by information regarding the political and social aspect of the Russian government, and its present chief, has lately been giving a series of lectures in the Lake district, illustrative of what she considers dangerous to the peace and well-being of Europe and the world. Her language was suitable to her audience, who were principally of the working class, and who express their gratitude for the lady's endeavours to convey instruction to them.

—— A French paper relates the following: "Felicien David, the celebrated French musician, is travelling in the East, during the vacation of the Company to which he is attached. The fame of his talents follows him everywhere. At Cairo, he was asked if he would consent to give music lessons to the wives of the Pasha, Mehemet Ali. David, who saw the harem filled with Georgians, Circassians almost Houries, opening before his eyes, accepted the proposal with a warmth almost too thinly disguised. He was led into the inapproachable gyneceum, and there, in a porcelain saloon, under the murmurs of a fragrant fountain, he was presented to—five abominable eunuchs! These fellows were to take the lessons from the artist, and transmit them to the wives of his Highness! Felicien David is running yet."

——Lord Peter Robertson, whose death is announced in the London papers, was one of the few intimate friends whom the late Mr. Lockhart, of the *Quarterly*, had in Scotland. They had known each other when both were young and briefless barristers, and the proud and sensitive Lockhart, who wished, it was said, after the death of his great father-in-law, Sir Walter Scott, to drop all acquaintance with Scotland, Abbotsford and Scottish companions, preserved and cultivated the friendship of the jovial Patrick. There is a story current to the effect that the latter, after perpetrating the enormous folly of writing and publishing—in his old age—two successive volumes of verse, happened to visit London and to dine with the editor of the *Quarterly* to whom the second volume was dedicated. The humorist had become unusually sentimental, and begged that, after his death, his host should honour him—not with a biography—but with an epitaph. Lockhart extemporised the following felicitous couplet:

> Here lies the Christian, Judge and Poet Peter,
> Who broke the laws of God and man—and metre.

——A Mr. Tumerelli, a gentleman who is said to have travelled in Russia, has been lecturing in London on the "Social and Moral characteristics of the Russian people." He related the following anecdote:

"When Madame Taglioni quitted St. Petersburgh she left a pair of slippers at the hotel. The landlord soon made his good fortune known, and 50, 100 and even 200 rubles (£20) were freely offered for the forgotten slipper. The landlord, however, finding the public enthusiasm increase as he raised his demand, peremptorily refused to part with the slippers under 1,000 roubles (£100). This sum being rather more than any individual appeared willing to give, thirty-five persons clubbed together and purchased the slippers. They then wanted to know what to do with them. After many suggestions, none of which gave general satisfaction, it was proposed by one of the speculators, more enthusiastic and original than his fellows, that they should eat them! The landlord of the hotel pronounced the idea to be excellent, and proposed to make a fricassee of them, which was accordingly done, and the thirty-six enthusiasts, with the lecturer as their guest, did actually eat Taglioni's slippers, and washed them down in bumpers of champagne, in which they drank to the health of the charming danseuse."

——THE WILBERFORCE FAMILY.—"When it was known," says the *London Record*, "That no fewer than four of the sons of this illustrious man had determined on entering the ministry of the establishment, the fact among the churchmen was matter of great congratulation, and anticipations of no ordinary character were indulged in concerning their devotion to the cause of religion. Years passed away, the young men were ordained, one became a vicar, another an archdeacon, while a third rapidly passed through the successive stages a curate, vicar, archdeacon and dean, until at length he reached a bishop's throne. Of the four young men, William, the eldest was the first to disappoint the expectations of his friends. He withdrew from public life, and his wife gave herself up to the Papacy. The next to break the bonds was Henry, who held at the time of his secession, the vicarage of East Farleigh, near Maidstone—a benefice with £1,000 a year. In his published statements at the times, he affirmed that he must either leave the Anglican Church, or run the risk of falling into rationalism, that it only remained for him to enter the fold of the Romish Church, in which he recognised all the characteristics of truth, unity, universality, apostolicity—the same in all times and in all countries, from St. Peter down to Pius IX., from one extremity of the earth to the other. Henry is now active in the service of the Church of Rome in Ireland.

"A third, Robert, has now deserted the church to which in early life he devoted his brilliant abilities; and the fourth, Samuel, Lord Bishop of Oxford, is the only one who remains a minister in her communion. It is not going too far to say that a large body of churchmen are looking with great anxiety to the course his lordship is taking. Some weeks since he publicly stated, in reference to his brother Robert's views upon the real presence in the eucharist, for the publication of which that reverend gentleman was about to be put upon his trial, that they were the only views which at the present time were likely to save tue English Church.

——POTICHOMANIE, OR GLASS ORNAMENTING.—About forty years ago, it was the fashion for ladies to amuse themselves "and pass their time away" in cutting out flowers, birds and insects, from old pieces of chintz, by the exercise of a little ingenuity, they fastened them into the interior of bottles; finally the bottles were filled either with chalk, salt, or any white material, to form a groundwork to the fanciful picture produced. Such bottles, the handiwork of grandmamma when she was a girl, are still to be seen here and there on the high mantelshelf. This art—if art it can be called—has recently been revived, and slightly improved, under the title of "potichomanie." At the shops where fancy goods are sold will now be found